

PLANNING APPLICATIONS COMMITTEE 13 February 2019

APPLICATION NO. **DATE VALID**
19/P2387 12/07/2019

Address/Site Tesco Site, 265 Burlington Road and 300 Beverley Way,
New Malden, Surrey, KT3 4NE

Ward West Barnes

Proposal: DEMOLITION OF THE EXISTING BUILDINGS AT 265
BURLINGTON ROAD AND 300 BEVERLEY WAY AND
ERECTION OF TWO BLOCKS OF DEVELOPMENT
RANGING IN HEIGHT BETWEEN SEVEN AND 15
STOREYS AND COMPRISING 456 NEW HOMES, OF
WHICH 114 WILL BE ONE BEDS, 290 WILL BE TWO
BEDS AND 52 WILL BE THREE BEDS. 499SQM OF
B1(A) OFFICE SPACE WILL BE ACCOMMODATED AT
GROUND FLOOR LEVEL ALONG WITH 220 CAR
PARKING SPACES, 830 CYCLE PARKING SPACES, A
REALIGNED JUNCTION ONTO BURLINGTON ROAD,
HARD AND SOFT LANDSCAPING AND ASSOCIATED
RESIDENTIAL FACILITIES. THE APPLICATION ALSO
INCLUDES MINOR CHANGES TO THE LAYOUT AND
CONFIGURATION OF THE RETAINED TESCO CAR
PARK

Drawing Nos and documents:

ExA_1852_100 D, ExA_1852_110 D, D1100 P2, D1101
P2, D1102 P1, D1106 P1, D1107 P1, D1108 P1, D1109
P1, D1110 P1, D1111 P1, D1112 P1, D1113 P1, D1114
P1, D1115 P1, D1200 P2, D1201 P2, P1202 P2, D1203
P2, D1204 P2, D1205 P2, D1206 P222, D1300 P2,
D1301 P2, D1302 P2, D1303 P2, D1304 P2, D1305 P2,
D1306 P2, D1307 P2, D2100 P3, D2101 P3, D2102 P2,
D2106 P2, D2107 P2, D2108 P2, D2109 P2, D2110 P2,
D2111 P2, D2112 P2, D2113 P2, D2114 P2, D2115 P2,
D2202 P2, D2203 P2, D2204 P2, D2205 P2, D2300 P2,
D2301 P2, D2302 P2, D2303 P2, D2304 P2, D2305 P2,
D3100 P2, D3101 P2, D3102 P2, D3103 P2, D3104 P2,
D3105 P2, D6000 P2, D6001 P2, D6002 P2, D6003 P2,
D6100 P2, D6101 P2, D6102 P2, D6101 P2, D6107 P2,
D6108 P2, D6109 P2, D6110 P2, D6111 P2, D6112 P2,
D6113 P2, D6114 P2, D6115 P2, D6200 P2, D6201 P2,
D6202 P2, D6203 P2, D6300 P2, D6301 P2, D6302 P2,
D6303 P2, D6304 P2, D7010 P2, D7100 P2, D7102 P2,
D7103 P2, D7104 P2, D7105 P2, D7106 P2 and D8000
P2.

For a full schedule of relevant documents and those
referenced in the recommended conditions refer to
Appendix A.

RECOMMENDATION

Grant Planning Permission subject to any direction from the Mayor of London, completion of a S.106 legal agreement a S.278 agreement and conditions.

CHECKLIST INFORMATION

- Heads of S106/S278 Agreements: Yes:
- On-site provision of 40% affordable housing,
- £150K to improve pedestrian and cycle infrastructure in the surrounding area,
- £100K towards pedestrian crossing facility and junction improvement at Burlington Road/Claremont Avenue junction, Travel Plan with £2K monitoring contribution.
- Three years car club membership.
- £450K contribution towards an additional bus journey in each peak period.
- Carbon shortfall contribution of £651,060.
- Play space contribution of £24,600.
- Financial contribution towards Air Quality Impact (£31,000)
- Bus stop improvements to 3 bus stops in the locality, the cost to be met by the applicant.
- Payment of cost to Council of all work in drafting the legal agreements and monitoring the obligations.
- Is a screening opinion required: Yes
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Yes (major application)
- Site notice: Yes (major application)
- Design Review Panel consulted: Yes (red on pre-application scheme). Current scheme has not been to DRP.
- Number of neighbours consulted: 937
- External consultations: Yes
- Conservation area: No
- Listed building: No
- Tree protection orders: No
- Controlled Parking Zone: No
- Green corridor – Yes (bordering the site to the north)
- Site of importance for nature conservation (SINC) – Yes (bordering the site to the north)
- Flood Zones 2/3
- Archaeological Priority Zone
- PTAL: 3

1. INTRODUCTION

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the nature and scale of development and the number and scope of objections.
- 1.2 This application is one of three concurrent and interlinked applications, including applications, 19/P3085 (Change of use of land from business and warehousing to provide remodelled car park for retail unit) and application 19/P2578 (provision of temporary construction access).
- 1.3 Application 19/P3085 is currently under assessment by officers and technical issues relating to the proposed site access are currently subject to on-going discussions between LBM Transport Planners and TfL and, as such, these applications are not sufficiently advanced to be presented to the committee at this time.

2. SITE AND SURROUNDINGS

- 2.1 The site comprises two parcels of land including land within the car park of the Tesco Extra store. The larger parcel of land comprises the eastern part of the car park and accommodates a two-storey office building and warehouse distribution warehouse with surface car parking for 102 cars to serve the office use. In addition, this part of the site accommodates 342 car parking spaces (plus 13 parking spaces for Tesco vehicles) serving the Tesco store. This parcel of land has an area of 2.29Ha. The smaller parcel of land comprises a bank of parking bays within the Tesco car park to the west of the main site. This part of the site accommodates 42 parking spaces and has an area of 0.05Ha.
- 2.2 265 Burlington Road is a vacant 1980's two storey office building with ancillary warehouse building (total 3,737sq.m. GIA).
- 2.3 The site is bound to the east by Burlington Road, commercial properties to the south, a Tesco Extra store to the west and Raynes Park High School to the north. The Sacred Heart Roman Catholic Primary School is located to the southwest of the site. The closest section of the Transport for London Road Network (TLRN) is the A3 Kingston Bypass which runs west of the Tesco store in a north-south direction. The A298 Bushey Road which forms part of the Strategic Road Network (SRN) is located north of Raynes Park High School and runs in an east-west direction.
- 2.4 Motspur Park rail station is located approximately 750m south of the application site. The site is located 1.2km south-west of Raynes Park rail station and 1.5km east of New Malden rail station. There are 4 bus routes within an acceptable walk distance. Based on TfL's Webcat toolkit the application site has a public transport accessibility level (PTAL) range of 2 to 3, on a scale of 0 to 6b where 6b is the most accessible.
- 2.5 The site is currently occupied by a vacant office building and car parking spaces associated with the adjacent Tesco store.

- 2.6 The site is bounded to the north by Pyl Brook, (a tributary of Beverley Brook) and is heavily treed and vegetated on both banks. This part of the site is designated as a Site of Importance for Nature Conservation (SINC). There is currently no public access to Pyl brook in the vicinity of the site.
- 2.7 In terms of surrounding built form, to the west are large distribution and retail warehouses along with the A3 flyover. To the east and south, buildings are at a lower level, with an appearance of low-rise suburbia. A shopping parade and light industrial uses continue along Burlington Road to the south. The maximum height of any building in the locality is 5 storeys (Northrop Grumman building to the west of the A3), other than the B&Q advertising column which is around 30m to the top of the totem and 37m to the top of the lattice above the totem (equivalent to approximately 16 storeys).
- 2.8 Buildings in the immediate vicinity of the site along Burlington Road range in height from two-storey to four storeys in height. There is a five storey building under construction to the immediate southeast of the site on Burlington Road (Albany House).
- 2.9 There is a finer grain of buildings to the east and south of the site compared to the warehouse development to the west. The area is characterised by predominantly 2-3 storey Victorian terraces and semi-detached housing blocks as well as some 4 and 5 storey housing blocks like 'Malden Court' just north of the Site and 'Albany House' to the east.
- 2.10 The site has no local or strategic policy designations, it does not lie within a conservation area and does not contain any listed buildings. At a local level the site forms part of allocated site RP3 within the emerging Merton Local Plan 2015-2030 (second consultation), and is identified as suitable for comprehensive redevelopment to retain the supermarket with the same floor space within a new purpose-built unit and to optimise the remainder of the site for new homes, landscaping and access.
- 2.11 The site is served by four bus routes, with the nearest bus stop location on Burlington Road approximately 100 metres from the site.
- 2.12 There is a level crossing to the east of the site over the Raynes Park to Motspur Park railway line. Officers acknowledge that the operation of the level crossing is the source of localised traffic congestion, particularly at peak traffic periods.
- 2.13 Vehicular access into the site is via the existing Tesco car park from the A3 sliproad. Vehicular access to the office building is possible from Burlington Road and egress from the Tesco car park or the office car park on to Burlington Road is possible but vehicle access into the Tesco car park from Burlington Road is restricted.

- 2.14 Whilst the site falls outside the limits of Crossrail 2 Safeguarding, as set out in the 2015 Crossrail 2 Safeguarding Directions, part of the application site has been identified by Crossrail 2 and TfL as a proposed worksite for the future delivery of the Crossrail 2 scheme.
- 2.15 The site at 265 Burlington Road includes a vacant two-storey office building with a single storey interconnecting warehouse. The existing buildings were constructed in the 1980's under planning permission MER416/84. Following this, planning permission was granted in 1990 for the use of the existing buildings as offices (Class B1). Whilst planning permission was also granted 1991 for the demolition of the existing buildings and erection of a three-storey office building, this permission has not been implemented.
- 2.16 In terms of trees, the site is largely laid to hardstanding. However, there are belts of trees along Burlington Road to the eastern part of the site and lining both sides of the Pyl Brook.
- 2.17 The site is not within a Controlled Parking Zone (CPZ) and there are no current plans to create a new CPZ.
- 2.18 The site is within Flood Zones 2 and 3. The part of the site that is Flood Zone 3 is mainly to the southern part of the site, but also, a small area of Flood Zone 3 around Pyl Brook.

3. PROPOSAL

3.1 Proposal Summary:

In summary, the proposals will deliver:

- 7 to 15 storeys of residential accommodation at ground and podium level.
- 456 residential apartments in a courtyard arrangement with communal landscaping above a residential parking level.
- Concierge for the residential accommodation.
- 220 undercroft car parking spaces, including 14 spaces for disabled motorists serving the residential accommodation (subject to condition).
- 5 on-street parking spaces (in lay-bys on the access road, within the development site), including two dedicated Car Club spaces.
- 830 cycle parking spaces.
- Secure private vehicle parking for residents accessed from Burlington Road.
- 499m² of B1 commercial space within five separate units ranging in size between 57sqm and 125sqm, with frontages onto Burlington Road and within the new access road created on the development site.
- 103sqm office/ meeting space, dedicated for use by residents only.

- Landscaping and private pedestrian route along Pyl Brook.
- 577 Tesco customer parking spaces would be retained. 40% affordable housing, of which 60% are affordable rent and 40% shared ownership, equating to 171 affordable housing units.

- 3.2 This application includes the demolition of the existing two-storey office and warehouse building on site and the erection of two blocks ranging in height from 7 storeys to 15 storeys to provide 456 residential homes along with associated parking and 499sqm of commercial space at ground floor level.
- 3.3 The commercial space would be within five separate units ranging in size between 57sqm and 125sqm.
- 3.4 The proposed development would be laid out in perimeter blocks, with soft landscaped amenity areas within the blocks. Car parking would be located at ground floor level beneath the podium level of each of the two blocks. The landscaped amenity space would be at first floor level, on a podium above the ground floor level parking.
- 3.5 The scheme is focused around two residential blocks with internal courtyards at podium level above ground floor car parking. The two blocks (Block A to the north and Block B to the south) are split by the realigned access road that provides egress for Tesco customers from the store car park onto Burlington Road. It will also provide access and egress to the residential car parks beneath the undercroft of both blocks.
- 3.6 The main vehicular access to the site is via Burlington Road located to the east of the development site. This access will be retained with some minor alterations. A secondary access is from the B282 Beverley Way, west of the site, which runs parallel to the A3 Kingston Bypass. This access links to the Burlington Road access through the Tesco car park, but only allows vehicles to egress the Tesco car park via Burlington Road. It is proposed to retain this link between the two accesses as part of the development proposals.
- 3.7 Both supermarket visitors egress and residents access is via the realigned access road, splitting left or right to enter respective residential car parking areas beneath either Block A or B. The main entrance to the supermarket for both customers and service vehicles is retained from Beverley Way with direct access to the customer car park. Residents access their apartments via the ground floor lobbied entrance foyers which provides both lift and stair access. Post boxes sit within these lobby spaces.
- 3.8 The access road provides two service lay-bys, one to the north side and one to the south side together with 5 residential parking spaces, two of which are dedicated to a car club. Access to the perimeter of the blocks for emergency services and maintenance is also via the realigned access road with limited access to the

supermarkets service road to the western boundary of the development.

- 3.9 The ground floor of the proposed development is mostly comprised of the undercroft car parking and commercial units facing Burlington Road.
- 3.10 The northern block (Block A) has four residential cores serving buildings A, B, C and D while the southern block (Block B) has three residential cores serving buildings E, F and G. These cores run from ground floor to the top storey of each respective building.
- 3.11 Within Block A at ground floor level there is an undercroft car park with space for 149 cars. Five of these spaces are wheelchair accessible. The entrance to the car park is from the newly aligned road linking the Tesco store car park to Burlington Road.
- 3.12 Four commercial units ranging in size run along the east elevation along Burlington Road, turning the corners on the north and south elevations. Refuse, plant and cycle stores are provided at various locations around the perimeter of Block A, including the energy centre in the northwest corner adjacent to the service yard.
- 3.13 Block B, located on the southern portion of the Site. It is a triangular shape in plan with the southern part narrowing towards a point. Three residential buildings form an internal courtyard, with buildings E and F forming a linear building to the west and building G, a linear building to the east following the orientation of Burlington Road.
- 3.14 Block B provides car parking within an undercroft, for 71 spaces. Four of these spaces are suitable for wheelchair users.
- 3.15 Each of the residential buildings are accessed from ground floor level with a degree of active street frontage. At ground floor beneath the podium, commercial frontage faces Burlington Road, with residential car park, refuse and cycle storage forming the remainder.
- 3.16 The scheme would involve a new streetscape at Burlington Road with a wide pavement created with street planting and street furniture. The proposals do not envisage this being dedicated as highway.
- 3.17 A planted, biodiverse walkway would be created adjacent to Pyl Brook. This would be restricted to use by residents only with the intention that it could become a through route if and when the wider Tesco site is redeveloped.
- 3.18 The west elevation, abutting the Tesco Extra car park, would be landscaped with a green walls installed.
- 3.19 The scheme would result in the loss of 21 category B trees, 17 Class C trees and 4 tree/shrub groups and 4 category U trees. 9

trees to be lost are located around the Pyl Brook. 61 replacement trees would be planted as part of the proposals.

- 3.20 The scheme proposes 456 units, of which 114 (25%) are one beds, 289 (63%) are two beds and 53 (12%) are three beds:

Unit Type	Percentage of units
1 Bed	25
2 Bed	63
3 bed	12

- 3.21 In terms of affordable housing, the scheme offers 40% on-site provision by habitable room (following amendments to the scheme); 60% are affordable rent and 40% shared ownership, equating to 171 affordable housing units.
- 3.22 11% of the proposed homes would be wheelchair adaptable.
- 3.23 The scheme has the following density: Habitable rooms per hectare – 570 (based on site area of 2.29Ha, the larger of the two parcels of land) and 199 dwellings per hectare.
- 3.24 In terms of parking, the development proposes 830 cycle parking spaces (798 residential spaces, 12 residential visitor spaces, 6 long term spaces for commercial units and 14 short term spaces for the commercial units), 220 undercroft car parking spaces, including nine wheelchair accessible spaces (N.B. officers advise that 14 wheelchair accessible spaces be secured by condition); five on street parking spaces, including two dedicated Car Club spaces.
- 3.25 In terms of combating the impacts of climate change, the proposal is accompanied by an Energy Statement which sets out that the proposed development is to target a reduction in CO₂ emissions of 35% beyond a determined Part L 2013 baseline case on site. This is equivalent to 40% reduction against a 2010 baseline as discussed in Merton's CS15 Energy policy. For the purposes of this Energy Statement the SAP10 carbon factors are to be utilised.
- 3.26 The remaining carbon emissions of 361.7 TCO₂ every year for 30 years are required to be offset. This would require a cash in lieu contribution to off-set the outstanding carbon savings.
- 3.27 Whilst not part of this application, the associated application, 19/P3085, deals with alterations to the retained Tesco Extra car park. The revised layout factors in the implementation of the application the subject of this report. Application 19/P3085 deals with the following associated development within the Tesco Extra car park:
- 3.28 Application 19/P2578 proposes the demolition of No.248 Burlington Road, a two-storey office building, fronting Burlington Road and the construction of a single width vehicular access, intended to provide access for construction vehicles in relation to the proposed mixed-use redevelopment, for a temporary period of two years.

- 3.29 It is noted that the redevelopment of the site will also result in the loss of 98 Tesco Extra car parking spaces but 577 customer spaces would remain overall.
- 3.30 The Tesco Extra store and associated car park to the west of the Site would continue to operate throughout the construction process, in the event that planning permission is granted.
- 3.31 The application is accompanied by the following supporting documents:
- Air Quality Assessment – May 2019
 - Affordable Housing Grant Funding Model
 - Arboricultural Impact Assessment, Arboricultural Method Statement and Arboricultural Survey – May 2019
 - Cultural Heritage Desk Based Assessment – April 2018
 - Daylight and Sunlight Assessment – May 2019
 - Addendum to Daylight and Sunlight Analysis dated 4th December 2019
 - Design and Access Statement – May 2019
 - Design and Access Statement: Landscape – May 2019
 - Desk Study/Preliminary Risk Assessment Report – August 2018
 - Dynamic Overheating Assessment – May 2019
 - Energy Statement (amended) – 16th October 2019
 - Flood Risk Assessment – May 2019
 - Noise and Vibration Assessment – May 2019
 - Preliminary Ecological Appraisal – October 2018
 - Residential Travel Plan – May 2019
 - Statement of Community Involvement – May 2019
 - Surface Water Drainage Strategy dated May 2019
 - Sustainability Statement – May 2019
 - Town Planning Statement and Health Impact Assessment – May 2019
 - Townscape and Visual Appraisal (undated)
 - Transport Assessment – May 2019

4. PLANNING HISTORY

- 4.1 Relevant planning history is summarised as follows:
- 4.2 MER419/84 - Erection of new industrial building with offices formation of new access roads off Burlington Road, car parking and demolition of existing buildings with new access from Kingston-by-pass slip road. Grant Permission 09/08/84
- 4.3 MER800/84 – OUTLINE APPLICATION FOR REDEVELOPMENT OF SITE TO PROVIDE RETAIL STORE WITH UNLOADING FACILITIES CAR PARK PETROL FILLING STATION AND LANDSCAPING AND VEHICULAR ACCESSES. Grant Permission 15/07/1985.

- 4.4 MER1069/85 - APPROVAL OF DETAILED PLANS FOR ERECTION OF A NEW RETAIL SUPERSTORE AND PETROL FILLING STATION INCLUDING PARKING AREAS SERVICE YARD AND ACCESS ROAD. Application Granted 13-02-1986.
- 4.5 90/P0445 - Demolition of existing single storey buildings and erection of three storey building for office (B1) use comprising 3,756sqm of floor space with associated car parking and landscaping. Allowed on appeal 04/11/1991.
- 4.6 19/P3085 – MINOR ALTERATIONS TO CAR PARK LAYOUT. Pending decision.
- 4.7 Associated applications:
- 4.8 19/P2578 – 247 Burlington Road – DEMOLITION OF BUILDING AND FORMATION OF TEMPORARY ROAD FOR THE TESCO CAR PARK (2 YEAR PERIOD), PROVIDING PEDESTRIAN AND BICYCLE ACCESS PLUS VEHICULAR EGRESS, WITH ASSOCIATED WORKS INCLUDING THE RELOCATION OF BUS STOP. Pending decision.
- 4.9 19/P3085 - PARTIAL DEMOLITION OF B1 OFFICE BUILDING AND CHANGE OF USE OF PART OF OFFICE BUILDING CAR PARK TO FACILITATE THE RECONFIGURATION OF SUPERMARKET CAR PARK TO PROVIDE A TOTAL OF 684 CAR PARKING SPACES (A LOSS OF 19 CAR PARKING SPACES), TO PROVIDE TROLLEY PARKING SHELTERS, CHANGES TO WHITE LINE MARKING AND PROVISION OF A NEW SERVICING AREA AND ALTERATIONS TO OFFICE CAR PARK WITH A LOSS OF 29 CAR PARKING SPACES. THE ALTERATIONS TO THE SUPERMARKET CAR PARK LAYOUT AND ASSOCIATED WORKS HAVE BEEN SUBMITTED IN CONNECTION WITH THE CONCURRENT PLANNING APPLICATION 19/P2387 FOR THE ERECTION OF A MIXED USE DEVELOPMENT COMPRISING 456 FLATS AND 499 SQ.M OF B1 FLOOR SPACE

Separate report on application on this agenda.

5. CONSULTATION

- 5.1 Press Notice, Standard 21-day site notice procedure and individual letters to neighbouring occupiers. **425** representations have been received, raising objection/commenting on the following grounds:

Visual Impact:

- Height is excessive.
- Height should be significantly reduced.
- The scheme is contrary to the Councils Tall Building Paper
- Inappropriate location for Tall Buildings
- A recent refusal in Kingston Town Centre demonstrates that this scheme should also be refused.

- The refusal at Claremont Avenue indicates that this scheme should also be refused.
- Precedent would be set for inappropriately tall buildings.
- The existing tatty buildings along Burlington Road should be redeveloped if this scheme is intended to improve the character of the area.

Highway impacts:

- Increased traffic and congestion.
- Adverse impact on the junction at the entrance to the site on Burlington Road.
- Concerns regarding highway safety, in particular walking children in the vicinity.
- Lack of parking for the development.
- Loss of parking to Tesco will result in displacement parking.
- Suggestion that a CPZ is introduced (but not at existing residents' expense)
- Cumulative impact of this scheme with other recent developments.
- Tesco car park is used as a rat run from the A3, this application will worsen that.
- Vehicles exiting the site will block the junction near the Level Crossing.
- Vehicular access should be further from the Level Crossing.
- Concern that lorries will turn right into the site from Burlington Road.
- Safe and secure cycle parking is provided but if it is not provided at the local stations and shops, cycling will not be a viable option.
- New residents will park in the Tesco car park resulting in displacement parking.
- Adverse impact on traffic leaving AW Champion Timber – new filter lane along Burlington Road suggested.
- A previous planning condition restricted access from Burlington Road to Tesco, will this be maintained?
- The poor road surface on West Barnes Lane and Seaforth Avenue would be worsened.

Public transport:

- Motspur Park Station and Raynes Park Station are already at capacity – what measures are proposed to tackle this.
- Step free access should be provided to the local train stations, more 'tap in' machines and widen the footbridge at the station.
- Pressure on bus capacity.
- Crossrail implications – which could include closing the Level Crossing, worsening the existing congestion.

Neighbouring amenity:

- Overlooking to neighbouring houses, gardens and schools.
- Loss of light and overshadowing.

Flooding:

- The site is adjacent to Pyl Brook which regularly floods.
- Concerns that foundations would displace flood water to neighbouring properties.

Infrastructure:

- Pressure on local schools, GPs, doctors, medical centres, dentists, water, sewage, electricity, gas etc. Suggestion that this should be provided within the development, in addition to a community centre or youth centre.
- Increased pressure on local job market.
- The existing local infrastructure is from the 1920s/30s and cannot cope with this additional burden.

Air Quality:

- More cars and congestion would worsen air quality, which will be particularly harmful for children.
- The Tall Buildings will create a canyon whereby air quality at ground level would be worsened.
- Cumulative impact of this scheme with other recent developments.

Other:

- More green space should be provided.
- Playground and park area should be available to the public also.
- Concerns over loss of trees.
- Suggest more open space and more trees to be planted.
- Redrow have incorrectly stated that the local schools have no objection to the proposals.
- Disruption throughout construction process.
- Query what the £7 million paid to the Council for accepting the application will be spent on?
- Adverse impact on property prices
- The proposal is purely profit driven under the guise of providing affordable housing.
- Tall Buildings will create a wind tunnel effect.
- Query whether air flows have been modelled?
- Light pollution.
- Concern that this is a forerunner to a much larger Master Plan.
- Impact on groundwater.
- More family housing needed.
- More affordable housing needed.
- Cumulative impact of this scheme with other recent developments.
- High rise living is not suitable for families and creates isolated communities.
- Concerns over high rise building safety.
- Query whether the units would really be affordable for all in society.

- More sustainable credentials are required if climate change is to be taken seriously.
- Increased crime.
- Increased rubbish and littering.
- Contrary to planning policies.
- The proposal should be put on hold until after Brexit due to the current political uncertainties.
- There has been no consultation with Kingston Borough.
- Suggestion that an Environmental Impact Assessment be carried out.
- Suggestion that a leisure centre be built on the site.
- Sustainability credentials are insufficient.

5.2 Three letters have been received expressing support for the following reasons:

- The scale is appropriate given the site's proximity to public transport and nearby developments.
- The scheme will be an asset to the local community.
- Suggestion that more car club bays be provided, cycle access in the area be improved, CPZ be introduced, bus services be improved, resurfacing of Claremont Avenue and West Barnes Lane.

5.3 In addition, a petition with 21 signatories expressing support has been received.

5.4 Following amendments to the scheme made on 06/12/2019, a further 67 representations have been received (an overall total of **492** objections), objecting on the following new grounds:

- Changes do not address the problem with this proposal. The proposal remains far too high and out of keeping with the area.
- Lack of local job creation.
- Proposal is being put forward around the New London Plan which is not adopted and ignores Merton's Housing Targets.
- Housing mix does not provide much needed family housing.
- Amendments have been made at a time of year when it is difficult for people to respond – query whether this is intentional.

5.5 Sacred Heart Catholic Primary School:

- Significant concerns regarding the scale of the development and the knock on effect of transport and logistics issues such as crossing Burlington Road, increased pollution for our school and parking, congestion and highway safety.
- Support the development of family homes, but not the building of up to 15 storeys in an area where 5 storeys is the norm.

- Do not support the developer's clear stance regarding single person occupancy.
- Concerns regarding knock on effects of flooding on the school.
- Existing bus routes and the pedestrian crossing directly in front of the school are important to the community and should not be affected.

5.6 Stephen Hammond MP comments:

I am writing to oppose planning application 19/P2387 which would see 456 new homes built at 265 Burlington Road.

This application is inappropriate for the site and the local area and would overwhelm public services nearby.

With over 80% of these new homes being of two or three bedrooms, it is clear to see how this number of new homes, without any corresponding increase in the number of school places and resources at GP and dentist surgeries, is detrimental to the local area and those living within it.

Furthermore, I am concerned about the impact this development will have on traffic flows. The development proposes 220 car parking spaces, which will presumably add a minimum of 220 additional cars to the already congested roads in the area. The effect of the level crossing on West Barnes Lane must also be considered, with the existing traffic backlogs and the resulting air pollution from cars idling, only going to worsen.

Finally, I would like to draw attention to the height of the development. The buildings are proposed to range up to 15 storeys in height, 11 storeys higher than the current highest buildings in the area. This is both further evidence of how the development is inappropriate for the local area and leads to concerns of overlooking and loss of light and privacy.

5.7 Stephen Hammond MP further comments (following submission of amended plans on 06/12/2019):

- The revised application merely changes the height of the buildings and does nothing to address the concerns. (Inappropriate for the site and would overwhelm public services).
- There is no corresponding increase in school places, resources at local GPs or dentist surgeries.
- Concern regarding impact on traffic flows.
- Urge the Council to extend the deadline for comments over the festive period.

5.8 Councillors Bailey, Bokhari and Quilliam comments:

Summary

A number of concerns have been raised about the application that we feel should be addressed before any approval is given: the height of the proposed blocks, the affordable housing element, parking, transport and road access, flooding concerns, and the use of any s 106 agreement or CIL contribution.

Need for housing

Fundamentally, it might be preferable for the Council to adopt a formal planning brief relating to the development of this site/the remainder of this site, and this could include a needs analysis on the capability of local schools, GP surgeries and other services to cater for the increase in population that results from significant further residential development.

Heights/massing/closeness to existing properties

The proposed development would, by reason of its design, building heights, bulk and massing be out of scale and character with nearby properties and would be a visually intrusive form of development, detrimental to the character and appearance of this area and therefore contrary to policy DM D2 and paragraph 127 of the NPPF.

Affordable Housing

Whilst it is pleasing that this development currently has 35% affordable housing proposed, it would only take 25 more units to bring this to 40%. The developer raises both viability issues and unit mix – rather than space or design issues. As such, we hope that Merton will examine this in detail, given the scale of the development, and insist on sticking to CS8.

Parking, transport & road access

Burlington road is already extremely congested, especially when the level crossing is down. The additional residents who will naturally have cars will only exacerbate this. The parking provision is 0.7 spaces per home with the idea that people will not have cars. However we have concerns people will still have cars, and the parking will spill into neighbouring roads. For example, in Linkway and D Avenue where residents already have difficulty parking. Related to this there are also significant concerns about guest parking for the new development, it would only take a very small number of visitors to create significant parking issues in the surrounding area at any one time.

Flood risk

Residents have raised concerns about the risk of flooding in the area for the proposed site.

The Pyl Brook (a tributary of Beverley Brook, open at this point but going into a culvert under the railway and the next part of West Barnes Lane) divides the Tesco site from Raynes Park High School.

In 2016, Tesco car park was deeply flooded. According to the London Borough of Merton, Policy N3.4, Raynes Park Local Plan (undated but a map is captioned 2018):
<https://www.merton.gov.uk/assets/Documents/Raynes%20Park%20-%20Merton%20stage%20-%20local%20plan.pdf>

As such, we are concerned that the consideration of flood risk has not been assessed in full.

Section 106 agreement/CIL contribution

We believe that any such agreements negotiated or monies contributed should be used to ensure local school, early years/nursery and GP provision within the vicinity are expanded to help mitigate the impact of the development on the surrounding area. Feedback from residents is that they are very concerned that services locally are stretched. Any money not used for these purposes should be invested in further local transport infrastructure, including in ways to promote sustainable forms of transport.

5.9 Internal consultees:

5.9.1 LBM Environmental Health Officer (Air Quality):

- From an air quality perspective a reduction in car park spaces is recommended to support the move away from the dominance of private car ownership.
- Greater incentives should be given to new residents to encourage the uptake of car club membership to encourage the move from private car ownership.
- The number of electric charging points should be increased, to include both active and passive electric vehicle charging facilities consistent with the draft London Plan.
- Section 106 funding should be requested to increase planting on the Burlington Road boundary and at the neighbouring schools, Sacred Heart Primary and Raynes Park High and West Wimbledon Primary to improve air quality.
- Controls/conditions required to regulate use of any emergency generators.

Conditions recommended relating to a Construction Environmental Management Plan / Dust Management Plan, controls over the operation of Non-Road Mobile Machinery (NRMM) and the operation of Combustion Plant (emergency/standby generator)

Request for Section 106 contribution towards air quality mitigation measures.

5.9.2 LBM Transport Planning:

Burlington Road Access

No objection in relation to the layout of this access.

Car Parking

Tesco has confirmed the reduction in parking spaces by 98 will not have an impact upon the operation of their store (leaving 577 spaces on the adjacent site for Tesco use).

It is proposed to provide 220 car parking spaces for the proposed 456 residential dwellings which equates to a car parking ratio of 0.5 spaces per unit which would accord with the London Plan and draft London Plan standards.

The disabled person parking provision needs to be increased by 5 spaces and this should be secured by condition along with a Car Parking Management Plan (CPMP) which will need to be updated to detail how this is monitored.

Electric Vehicle Charging Points (EVCP)

20% of new parking bays should have access to electric vehicle charging points while a further 20% will have passive provision for future charging points.

For the development of 220 car parking bays, 22 bays should have access to electric charging points while further 22 spaces have passive provision for future charging points.

Car Club

It is recommended that three years free car club membership is secured for all new residents.

Cycle Parking

The development proposes 798 long stay cycle parking spaces and 12 short stay cycle spaces which satisfies the London Plan Standards, however, further consideration is required concerning the layout of the long-stay cycle parking, which can be secured by way of condition.

It is recommended that shower and locker facilities are also provided for the office uses for those members of staff wishing to cycle to work.

Parking Survey

Parking surveys undertaken in the vicinity of the site identified that the observed parking demand is between 78.4% and 81.1% which is below the 90% 'parking stress' threshold and therefore indicates that there is spare on-street parking capacity available in the vicinity of the site. The proposed level of parking for the development is intended to be able to cater for the demand associated with the residents of the new homes and the parking survey data has therefore been presented only for information.

Trip Generation

The trip generation analysis presented indicates that the proposed residential dwellings will be expected to generate 79 (AM) and 65 (PM) vehicle trips, with the proposed commercial uses generating a further four vehicle trips, per peak hour.

The existing office use would be expected to generate in the order of 27 and 30 vehicular trips in the AM and PM peak hours respectively, should the permitted use of the site be brought back into operation.

The net trip generation of the proposals would therefore be 56 (AM) and 39 (PM) vehicles respectively, which equates to less than one additional vehicular trip being generated per minute in either peak hour.

The trip generation assessment for the existing and proposed uses has been undertaken using the industry standard TRICS database. Census data has been used to determine the mode share and LBM Transport Planners are satisfied that the trip generation is robust.

Burlington Road/Claremont Avenue Junction improvement

The anticipated distribution of traffic associated with the site is expected to give rise to a change in performance of the Claremont Avenue junction with Burlington Road.

The developer to provide financial contribution towards pedestrian crossing facility and junction improvement at this junction secured through Sec.106 Agreement.

Recommendation

Although the proposal is unlikely to generate a significant negative impact on the performance and safety of the surrounding highway network or its users, it is considered essential that key improvements are considered to minimize any impact. Therefore the Council is seeking the following:

- 1) The Council to secure a financial contribution for the sum of £150K to improve pedestrian and cycle infrastructure in the surrounding area secured via Sec.106 agreement.
- 2) The Council to secure a financial contribution for the sum of £100K towards pedestrian crossing facility and junction improvement at Burlington Road/Claremont Avenue junction secured via Sec. 106 agreement.
- 3) Full Travel Plan should be developed and details of the Travel Plan should be subject to detailed agreement and monitoring over a five year period. A sum of £2,000 is sought to meet the costs of monitoring the travel plan over five years, secured via Section 106 process.
- 4) The disabled person parking provision needs to be increased by 5 spaces and this should be secured on developer's site.
- 5) EVCP should be provided in accordance with draft London Plan standards and secured by condition.
- 6) Car Parking Management Plan to be secured by condition.
- 7) 3 years car club membership should be secured for all residents.
- 8) Cycle parking as shown maintained.

- 9) Further consideration is required concerning the layout of the long-stay cycle parking.
- 10) Shower and locker facilities should be provided for those members of the staff of the commercial units wishing to cycle to work.
- 11) A Delivery and Servicing Plan to be secured by condition.
- 12) Demolition/Construction Logistic Plan (including a Construction Management plan in accordance with TfL guidance) should be submitted to LPA for approval before commencement of work.

5.9.3 LBM Tree and Landscape Officer:

No objection. Replacement trees and landscaping to be secured by way of condition.

5.9.4 LBM Green Spaces:

No response received.

5.9.5 LBM Climate Change Officer:

- Major residential developments will be expected to achieve a **minimum** on-site emissions reduction target of a 35% improvement against Part L 2013, with the remaining emissions (up to 100% improvement against Part L 2013) to be offset through cash in lieu contribution.
The cash in lieu contribution will be collected according to the methodology outlined in the Mayor's Sustainable Design and Construction SPG. This will require each tonne of CO2 shortfall from the target saving to be offset at a cost of £60 per tonne for a period of 30 years (i.e. £1800 per tonne CO2).
- A S.106 agreement for the carbon offset cash in lieu contribution will need to be finalised prior to planning approval. The Energy Strategy sets out the following carbon offset contributions:
Carbon shortfall (tonnes of CO2e) X £60 per Tonne CO2e X 30 years = Offset Payment
366.2 tCO2 X £60 Per Tonne CO2e X 30 years = £659,236
This will need to be reassessed once the applicant has addressed my comments above and provided all additional clarifications and evidence required.
- The internal water consumption calculations submitted as part of the Sustainability Statement (dated May 2019) for the development indicate that internal water consumption should be less than 105 litres per person per day.

Recommended Conditions:

- Secure additional energy efficiency measures for the commercial space in order to achieve the GLA's target of 15% improvement on Building Regulations from energy efficiency measures.

- Internal water consumption to be no more than 105 litres per person per day.
- Evidence to demonstrate whether the development will need to be future-proofed for connection to any future district heating networks.
- Secure 35% CO reductions through on site improvement against Building Regulations.

5.9.6 LBM Climate Change Officer: (Additional comments received 18/12/2019):

The carbon offset amount currently stands at £651,060

5.9.7 LBM Children, Schools and Families Department:

- Concerns relating to density and height, which will result in overlooking from balconies.
- The application does not seem to have considered the proximity of the proposed buildings to the school.
- Concern regarding the safety of children accessing the school at the Burlington Road highway and in relation to safe walking routes to schools.
- Concern that the likely loss of light is not covered by the developers' Daylight and Sunlight Assessment document.
- Concern regarding potential flooding due to proximity of Pyl Brook.
- Concern relating to impact on safety, noise and disruption throughout the construction process.

5.9.8 LBM Children, Schools and Families Department (additional comments received 24/12/2019):

Concerns relating to the impact on the school have not been overcome by the minor amendments to the scheme.

Suggestion that the narrow pavement in front of the school be improved as part of a developer's contribution.

5.9.9 LBM Social and Green Infrastructure:

The site is directly adjacent to the following environmental designations, therefore the policies below are relevant:

- Beverley Brook in Merton SINC MeBII05 to the north of the site (CS13, DM02)
- Raynes Park High School Green Corridor GC15 (CS13, DM02)

The site is in close proximity to:

- Raynes Park Railsides to Motspur Park Green Corridor GC17 (CS13, DM02)

Biodiversity

The applicant has provided a Preliminary Ecological Appraisal (PEA) report, dated October 2018, the methodology and findings of which are considered appropriate.

External Amenity Space

The proposed accommodation schedule indicates that the residential units have private amenity space through the provision of balconies (between 5-9sqm) and terraces (between 5-35sqm), in addition to some communal space, which would meet policy requirements.

Access to Nature and Open Space

The landscape masterplan shows that the proposed communal open space will be provided on the podium level and this is for the use of residents only. Please note that the site is more than 400m from the nearest public open space (Prince Georges Playing Fields and Raynes Park Sports Ground – both 1km walking distance from the site) and is therefore in an area identified as being deficient in access to Local Parks and Open Spaces (London Plan Table 7.2). The provision of resident-only communal space does not seek to improve the access to Local Parks and Open Spaces through the provision of new open spaces and there is an opportunity for this to be explored through the design.

I would also point out that the landscape masterplan indicates that the area alongside Pyl Brook known as “The Brookside” will be gated and only accessible to restricted residents of certain buildings (see extract below). This does not improve the access to open space or nature conservation, as required by CS13(b)

5.9.10

LBM Flood Risk and Drainage Officer:

No objection provided measures in the flood Risk Assessment are adhered to.

Development is proposed in close proximity to Pyl Brook and EA Flood Risk Activity permits would be required for any works within 8m.

The restricting flow rate of 3X Greenfield runoff rate is proposed for this development. This outflow is currently shown to be routed to the Pyl Brook in accordance with LB Merton requirements. The specified rate will be limited to no more than 18.3l/s for the 1 in 100 year plus 40% climate change scenario.

Permeable paving is proposed for all new external hardstanding areas (within the redline boundary excluding bin store area to avoid the risk of contamination).

Recommended conditions:

- Detailed scheme for the provision of surface and foul water drainage.

- Detailed design and specification for the permeable paving and green roofs.
- Informatives in relation to surface water runoff, waste material, approval from EA for works within 8m of Pyl Brook.

5.9.11 Design Review Panel Comments (in relation to pre-application scheme 18/P2998 – not the currently submitted scheme):

The Panel were clear in their view that there was development potential for the land in Tesco ownership. However, because the application site and remainder of Tesco land was so large, it was felt it needed to sit within a clear wider framework. This included a stronger and wider contextual analysis, and a stronger rationale for the design, layout and heights proposed. Currently there seemed to be none of this wider analysis, and most of the attention had gone into elements of the design details.

This lack of wider analysis led to other problems. The Panel were clear that the site did have a context, and that was a low-rise, low-density suburban one. Therefore, the interface between the site and this context needed to be acknowledged and designed appropriately. It also meant there was no proper rationale for the chosen storey heights, whether they be the proposed 7-14 storeys or any other range. It was felt that high buildings might be appropriate in some places, but this was more likely to be in the centre of the larger Tesco-owned wider site.

The Panel were concerned also by the general typology of the development that used a podium with ground floor parking and entrances to the flats. This led to a very poor interface with the street, dead frontage, places for concealment and lots of different building lines. This was exacerbated by the numerous service entrances etc. and made for a poor quality public realm. This was particularly evident with the retained access road to the supermarket and the heavily overshadowed and effectively dead frontage facing the Pyl Brook. This was the route to the block of affordable housing and the lack of a proper public space beside the brook was a particular missed opportunity.

Linked to this there was concern that the access into the site, notably for pedestrians and cyclists, was limited to one entrance on the east and one on the west. It was felt that there needed to be a much more permeable urban grain with multiple entrances in to the site and a proper street network. This was being hampered by the rigid form and layout that had been chosen. Having a podium was not necessarily seen as bad, but it did create the problems identified. It was also suggested that flats could be accessed via the podium to create a greater vitality and activity in the courtyards.

It was felt that the river was a positive asset that was not being taken advantage of, and that there was a worrying lack of a sense of place to the whole development. For such a large wider development it was felt that a more genuine mixed use development was justified, which would improve activity, surveillance and vitality.

It was noted that the density was at the high end of the former London Plan density matrix for more accessible and urban locations, and more appropriate to Vauxhall/Nine Elms developments. In this context, a better understanding of what constituted 'good growth' as outlined in the London Plan was needed. Therefore, whilst there was clear scope here for intensification, the context was significantly different.

Specifically regarding heights, there was no townscape or contextual justification for the heights chosen, and if this was considered acceptable, would the wider site then be able to justify even taller buildings? The most obvious local context was Burlington Road and this justified a lowering of the building heights fronting this street.

It was felt that the form and typology of the development was a long way from good practice and significantly out of date in terms of high quality, permeable and safe development and a far finer urban grain was needed. The need for parking was understood but this needed to be secure and adaptable to future uses. It was suggested that one podium could be at grade, with parking underground, rather than forcing the creation of a podium. This would make it easier to address the dead frontage issues.

The Panel were also not convinced by the applicant's description of dual and single aspect dwellings as many units stated as dual aspect did not achieve the benefits of dual aspect units. An effective 35% single aspect units was seen as an indicator that the development was too dense. The low level of 10% family units was also questioned in terms of whether it met council housing policy.

VERDICT: RED

Officer response:

Officers note that the currently submitted scheme has not gone before the DRP. However, members should note the following changes to the current scheme and supporting comments of the applicant since the DRP meeting:

Context:

DAS includes the wider contextual analysis and design rationale. Townscape and Visual Appraisal (TVIA) prepared by Lichfield to accompany the planning submission documents.

Height:

Density/height of the development has been developed to its current form which includes:

- Potential future masterplan
- Unconstrained Site with opportunity for increased density
- Increase in density of recent residential development locally and changing street scape
- Quantum of affordable accommodation required by LB. Merton

Created more varied heights across the development, forming a seven storey lower shoulder height to Burlington Road with taller buildings to the west edge of the site, while introducing a vertical variation in the massing to break up the overall scale.

Massing:

Introduced a varied roof design to the taller buildings creating a more dynamic roof scape from both short and distant views

Density:

The London Plan density matrix states that the range should not be applied mechanistically and account needs to be taken of specific circumstances and context. The density proposed is considered acceptable by the GLA and the LB. Merton Planning officers. And the 448 homes proposed will go some way towards meeting the housing target of 1,328 units per year proposed by the draft London Plan for the Borough.

Podium Typology:

Developed layout to optimise active frontages and integration of new public realm in line with pre-application comments to achieve:

- 76% active frontage to Burlington Road
- 51% active frontage to Access Road Underground parking is not a financially viable option for a residential development in this location

Architectural Treatment Improved the ground and first floor articulation to create a distinct plinth level, which introduces a clear hierarchy between the street level expression, and residential levels above.

Housing mix:

Arguments set out in the submitted planning statement.

Dual frontage:

Dual Aspect The building footplate and cores were amended to create higher proportion of dual aspect apartments.

Active Façades Increase the active frontages to the Burlington Road and the Access Road, creating more animated façades at street level, whilst balancing the requirements for Residential entrances, cycle and refuse storage.

We have added two dual aspect live/work units to the north elevation of the northern podium, opposite the Pyl Brook. The two storeys of accommodation create an active frontage along this northern elevation, providing a safer and more pleasant

access to the Building A residential entrance, while retaining the natural ventilation to the car park behind.

Permeability:

In order to maximise the potential of the Site redevelopment and taking into consideration the Site constraints and accommodation requirements, utilising the existing access into the Site and potential for access along Pyl Brook, was the appropriate level of permeability.

5.9.12 Raynes Park and West Barnes Residents' Association:

- The New London Plan is still in draft form and NOT an Adopted GLA Plan. Merton's housing target remains at 411 homes per annum which derives from the existing London Plan of April 2016.
- The RP3 site should be developed comprehensively. There is a clear conflict between Merton's policies and the proposal.
- The proposals submitted are for seven blocks of flats (but NO houses!)
- Proposal conflicts with the Council's Tall Buildings Paper which sets out that Tall Buildings will only be permitted in the Town centre in Colliers Wood, Morden and Wimbledon.
- There would be too high a proportion of two bed flats and not enough 'family' units
- With an influx of probably more than 1,000 people and 220 car parking spaces it is obvious that the proposals would lead to a serious increase in traffic congestion
- High density housing is not suitable within Flood Zones 2/3.
- Concerns regarding school places, GP surgery, NHS dentist, local park etc.
- Concerns regarding air quality from congestion due to the level crossing.
- The buildings would appear as huge monoliths.

5.9.13 Raynes Park Association:

Request CIL money to improve the road and pavement in front of the parade of shops between the railway bridge and Camberley Avenue.

This improvement would indeed be on the route taken by many of the residents of the proposed flats and would benefit them as indeed other people in the area.

5.9.14 Merton Green Party:

Policy CS8 in the council's core planning strategy sets a borough-wide affordable housing target of 40% for developments of 10 units or more units. The applicant's planning statement states that 145 of the 456 units will be affordable housing – around 32%. We ask the Council to require that its 40% target be met.

5.10 **External consultees:**

5.10.1 **GLA Stage 1 referral:**

- **Principle of development:** the residential-led mixed-use re-development is strongly supported in strategic planning terms, in line with London Plan and draft London Plan Policies.
- **Affordable housing:** 35% affordable housing by habitable room, comprised of 58 shared ownership units (40%) and 87 social rented units (60%), meets the Fast Track threshold. Social rented units would be offered at London Affordable Rent levels, in line with the Mayor's Affordable Housing and Viability SPG. Further information is required on the affordable rent levels, income ranges and availability of grant funding. An early stage review must be secured. A draft S106 must be shared with GLA officers prior to Stage 2 referral.
- **Urban design:** The proposed heights and massing are supported in terms of optimising housing delivery. Further consideration is required in terms of the Crossrail 2 requirements, public realm, surface level landscaping, pedestrian routes and active frontages. An inactive impermeable frontage along the western building line is not acceptable in the context of the wider site allocation.
- **Sustainable development:** The applicant has broadly followed the energy hierarchy; however, further information regarding overheating, potential connection to a nearby district heat network, the site heat network and renewable energy is required before the proposals can be considered acceptable.
- **Transport:** The design proposals must demonstrate how the site will accommodate the bridge requirement associated with the future delivery of Crossrail 2. Financial contributions are required towards the upgrade of bus stops and pedestrian and cycle infrastructure within the surrounding area. Further detail is required to assess Healthy Streets, Vision Zero and the impact on highways and public transport.

GLA further comments:

Confirmation that the scheme now meets the Mayor's Fast Track Affordable Housing criteria.

Officer response:

- *The applicant has revised their affordable housing offering to 40% on site.*
- *The GLA are now satisfied that issues relating to a non-permeable frontage to the western boundary can be dealt with through the s.106 agreement, which would require alterations to this frontage as and when a master plan scheme is developed.*
- *The applicant has submitted a Dynamic Overheating Assessment and the issues raised can be addressed by way of condition.*

- *The officer response to Crossrail 2 considerations can be found later in this agenda.*

5.10.2 Transport for London:

Crossrail 2:

Whilst the application site is outside the Limits of Safeguarding, as set out in the 2015 Crossrail 2 Safeguarding Directions, part of the application site has been identified as a proposed worksite for the future delivery the Crossrail 2 scheme and required for the works associated with the West Barnes Lane level crossing.

Crossrail 2 are therefore of the view that the proposed redevelopment of this site and the creation of new residential and commercial floorspace would, in the event that powers to deliver Crossrail 2 are approved, be prejudicial to the future delivery of the railway.

The Crossrail 2 Integrated Project Team is in discussion with the applicant and the London borough of Merton in parallel with this current application submission and is looking to jointly test options with the applicant as to how Crossrail 2 requirements may be accommodated within this site. These discussions also include a future accessible pedestrian foot bridge over the new Crossrail 2 railway to ensure future east / west permeability and to maintain a connection in this location. The design proposals for the application site will need to accommodate this future bridge requirement.

Healthy Streets

Whilst a Walking and Cycling Environmental Review has been undertaken and

Healthy Streets is considered in this audit, there is no narrative as to how the development will deliver improvements that support the ten Healthy Streets Indicators throughout the site and within the local area.

The development site itself provides little in the way of improvements for pedestrians and cyclists and still remains car dominant.

TfL would recommend that the borough secures a financial contribution to improve pedestrian and cycle infrastructure in the surrounding area.

Vision Zero

The Mayor's Vision Zero ambition is the elimination of all deaths and serious injuries from London's streets by 2041. The Vision Zero approach requires reducing the dominance of motor vehicles and creating streets safe for active travel.

The submitted analysis should identify measures which can be used to eliminate any of these accidents, particularly those on Burlington Road / West Barnes Lane, and should demonstrate

how the scheme will contribute towards the Vision Zero approach.

Car parking

It is proposed to provide 220 car parking spaces for the proposed 456 residential dwellings which equates to a car parking ratio of 0.5 spaces per unit, which would accord with the London Plan and draft London Plan standards.

It is proposed to provide 9 disabled persons bays. The draft London Plan states that disabled person parking should be provided for three per cent of dwellings (not parking provision), with up to ten per cent provided if the demand arises. This would equate to a disabled person car parking requirement of 14 spaces at the onset. The disabled person parking provision needs to be increased by 5 spaces and this should be secured by condition along with the Car Parking Management Plan (CPMP) which will need to be updated to detail how this is monitored.

TfL recommend that three years free car club membership is secured for all new residents.

Highways Impact

Highway models have been prepared by the applicant in order to assess the impacts of the development on the strategic road network. TfL require electronic copies of the models for review and will provide a more detailed response concerning the highways impact once this is complete.

Buses

The proposed development is predicted to generate 20 two-way bus trips within the AM peak hour and 17 in the PM peak hour. However, it is expected that a significant proportion of the underground/rail mode share (131 in the AM and 108 in the PM) would use the bus to access Raynes Park rail station which provides access to a greater number of services (currently 16 peak hour trains to Waterloo) and destinations than Motspur Park rail station. Bus route 131 is already near capacity in the vicinity of the site. Therefore, based on the predicted uplift in bus trips and current bus capacity, TfL are seeking a bus contribution of £450,000 (£90,000 per annum for 5 years). The £90,000 p.a. would cover the cost of an extra journey in each peak period.

A bus stop accessibility audit has been carried out at five bus stop locations on Burlington Road. Of the five stops audited, only one of these met the criteria and is fully compliant as an accessible bus stop. The applicant will be required to pay to upgrade the remaining three stops so that they are also fully compliant as an accessible bus stop:

Cycle Parking

789 long-stay cycle parking spaces are proposed for the residential element of the development. Whilst this would accord with the current London Plan, this would only accord with the long-stay parking requirement of the draft London Plan if all of the 1 bedroom units were only 1 person units. The applicant should provide clarification on the gross internal floor area of the 1 bed residential units to determine if they are 1 or 2 person units.

The ground floor Block F cycle parking and all of the cycle parking located on the first floor is only accessible via multiple doors. A proportion of short-stay visitor cycle parking is shown in the long-stay cycle stores. This raises issues of security and would not be convenient for users. Further consideration is required concerning the layout of the long-stay cycle parking.

TfL would also advise that shower and locker facilities are also provided for the office uses for those members of staff wishing to cycle to work.

Travel Plan, Servicing and Construction

A Framework Travel Plan has been provided. This document provides little in the way of initiatives to actually facilitate any meaningful mode shift. The mode shift targets are not very aspirational and given they are based on 2011 Census data, may have already been achieved. The full Travel Plan should be secured, enforced, monitored and reviewed as part of the s106

In summary, TfL requests that further information is provided before we can fully assess and be supportive of the proposed development. Specific mitigation measures and further work is summarised below:

- The application site has been identified as a proposed worksite for the future delivery of the Crossrail 2 scheme and required for the works associated with the West Barns Lane level crossing. The design proposals for the application site will need to accommodate this future bridge requirement.
- Further work required to demonstrate how the development contributes towards the 10 Healthy Streets indicators both within the site and the wider area.
- TfL would recommend that the borough secures a financial contribution to improve pedestrian and cycle infrastructure in the surrounding area.
- Accident analysis to identify measures which can be used to eliminate accidents and should demonstrate how the scheme will contribute towards the Vision Zero approach.
- The disabled person parking provision needs to be increased by 5 spaces and this should be secured.
- EVCP should be provided in accordance with draft London Plan standards and secured by condition.

- Car parking spaces to be lease not sold and this is to be reflected in the Car Parking Management Plan.
- Car Parking Management Plan to be secured by condition.
- 3 years car club membership should be secured for all residents.
- TfL require electronic copies of the highway models for review and will provide a more detailed response concerning the highways impact once this is complete. (N.B. TfL have responded on 05/02/2020 to raise no concerns with modelling and no mitigation required)
- Reassign 50% of rail/underground trips to the bus mode share. Once TfL receive the revised figures, we will be able to confirm what bus capacity enhancements are required.
- The applicant is required to pay to upgrade three bus stops to ensure they are fully accessible.
- The applicant should provide clarification on the gross internal floor area of the 1 bed residential units to determine if they are 1 or 2 person units, so that we can determine if the cycle parking provision is in accordance with the draft London Plan.
- All cycle parking is required to be designed and laid out in accordance with the guidance contained in Chapter 8 of the London Cycling Design Standards (LCDS). And this should be secured by condition.
- Further consideration is required concerning the layout of the long-stay cycle parking.
- Shower and locker facilities should be provided for those members of staff wishing to cycle to work.
- Travel Plan to be secured, monitored, reviewed, and enforced through the s106.
- A Delivery and Servicing Plan to be secured by condition.
- A Construction Management Plan (CMP) to be secured by condition.

5.10.3 TfL further comments 27/01/2020:

Crossrail 2:

Crossrail 2 are of the view that the proposed redevelopment of this site and the creation of new residential and commercial floorspace would, in the event that powers to deliver Crossrail 2 are approved, be prejudicial to the future delivery of the railway.

Healthy Streets

TfL recommends that the borough secures a financial contribution to improve pedestrian and cycle infrastructure in the surrounding area. TfL have now been advised that £150,000 has been secured towards this.

Vision Zero

Given that the redevelopment of the site will result in an overall uplift in person trips within the vicinity of the site, including vehicle, pedestrian and cycle trips, it is disappointing that the applicant is unable to identify any measures which could be used

to eliminate any of the identified accidents occurring in the future and contributing towards the Vision Zero approach.

Car Parking

The applicant has now confirmed that disabled person parking and EVCP will be provided in accordance with draft London Plan standards and the draft Car Parking Management Plan (CPMP) should be updated to reflect this. It would be useful if these could be quantified and should be secured by condition. The applicant has also agreed to provide free car club membership for all new residents and this should be secured for three years.

Cycle Parking

The applicant has now provided clarification that all of the 1 bedroom units are 2 person units. Therefore the draft London Plan cycle parking requirement is 1.5 spaces per 2 person 1 bedroom unit not 1 space per unit, which equates to 171 spaces not 114 spaces. In order to accord with the draft London Plan the total cycle parking requirement on site for both the residential and non-residential uses would be 871. Therefore the 830 spaces proposed would fall well short of these standards. The 'Intend to Publish' new draft London Plan has been submitted to Government and its worth noting that there are no changes to the residential cycle parking standards; giving further weight to the requirement to provide cycle parking in line with draft London Plan standards.

Further information has now been provided on the access routes to the cycle parking stores, and as previously highlighted the ground floor Block F cycle parking and all of the cycle parking located on the first floor is only accessible via multiple doors, which is not convenient and would not meet the good design principles detailed in Chapter 8 of the London Cycling Design Standards (LCDS) Section 8.5.3 Residential Cycle Parking. TfL would recommend that the cycle store for Block F is accessed directly from outside, to resolve this problem. A proportion of short-stay visitor cycle parking is still shown in the long-stay cycle stores. As highlighted previously, this raises issues of security and would not be convenient for users. Short stay cycle parking should be located within 15 metres of the entrance to the destination Further consideration is required concerning the layout of cycle parking.

Bus Capacity

As per TfL's recommendation, the applicant has uplifted their predicted bus trip trips to take account of rail passengers using the bus to access the rail stations. The development is now expected to generate 86 trips in the AM peak hour and a further 71 trips in the PM peak hour. Bus route 131 is already near capacity in the vicinity of the site. Therefore, based on the predicted uplift in bus trips and current bus capacity, TfL are seeking a bus contribution of £450,000 (£90,000 per annum for 5 years). The £90,000 p.a. would cover the cost of an extra journey in each peak period.

Bus Infrastructure

The bus stop accessibility audit identified 4 stops requiring an upgrade to be fully compliant as an accessible bus stop. TfL have looked at these stops in further detail and have identified that only 3 stops require improvements. It is recommended that these improvements form part of the applicants s278 works with Merton.

Highway Models

TfL are currently reviewing the highway models and will provide a more detailed response concerning modelling once this is complete.

5.10.4 Metropolitan Police – Designing out Crime Officer:

Security enhancement suggestions made.

Concerns identified regarding the location and approach residents have to make to access Core A and Core F and the height of the fence and gates in Burlington Road at the Brookside Garden entrance appears inadequately low.

Condition relating to security measures and a Secured by Design final certificate.

5.10.5 Thames Water:

Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided. The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority.

Condition recommended on:

- Water network infrastructure.
- No construction shall take place within 5m of the Thames Water Strategic water main
- No piling shall take place without a suitable piling method statement

Informative recommended due to proximity to underground water assets.

5.10.6 Environment Agency (in relation to potentially contaminated land):

No objection subject to conditions.

We have reviewed the document 'Desk Study/Preliminary Risk Assessment Report' (PRA) by Jomas (reference P1446J1410/AJH V1.0 dated 07 August 2018). The document

indicates the potential for ground contamination to be present and recommends an intrusive investigation to assess this. We consider that planning permission should only be granted to the proposed development as submitted if the following planning conditions are imposed as set out below.

Conditions recommended:

- Site investigation scheme relating to contaminated land
- Remediation strategy for unexpected contaminated land
- A verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation
- No drainage systems for the infiltration of surface water drainage into the ground are permitted
- Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority Demolition of existing buildings

Informatives relating to potentially contaminated land.

5.10.7 Environment Agency (in relation to flooding)

Flood Risk

We can confirm that we are satisfied with the approach taken by Ambiental and agree that the set finished floor levels (FFL) are appropriate.

5.10.8 Environment Agency – further comments 11.12.2019 (in relation to flooding):

Recommended condition:

Condition

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) May 2019 / N.4003 / Ambiental Technical Solutions Ltd. and the following mitigation measures detailed within the FRA:

1. Provision of compensatory storage shall be provided with the provision of an additional 25 cubic metres through level-for-level, volume for volume compensation as per paragraph 8
2. Ground floor finished floor levels are of the residential units are set no lower than 14.65m above Ordnance Datum (AOD) and the duplex units shall be located outside of the 1% AEP plus 35% climate change extent as detailed in paragraph 7.4.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

5.10.9 Network Rail:

Network Rail are concerned by the impact this and other nearby proposals will have on Network Rail's infrastructure. Motspur Park and Raynes Park stations are currently experiencing capacity issues during peak travel hours. The Transport Statement states that 456 new home proposal will result in a minimum increase of 131AM and 108PM peak rail/underground trips, therefore adding to the current issue. Network Rail do not object to this application however we are keen to meet with the Council to discuss what mitigation measures/improvements to the stations can be achieved.

6. POLICY CONTEXT

6.1 National Planning Policy Framework 2019:

2. Achieving sustainable development
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change

6.2 London Plan (2016) policies:

- 2.6 Outer London: Vision and strategy
- 2.8 Outer London: Transport
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young people's play and informal recreation facilities
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.10 Definition of affordable housing
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing
- 3.13 Affordable housing thresholds
- 4.1 Developing London's economy
- 4.2 Offices
- 4.3 Mixed use development and offices
- 4.7 Retail and town centre development
- 4.8 Supporting a successful and diverse retail sector and related facilities and services
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.13 Sustainable drainage

- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 5.17 Waste capacity
- 5.21 Contaminated land
- 6.3 Assessing the effects of development on transport capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.11 Smoothing traffic flow and easing congestion
- 6.12 Road network capacity
- 6.13 Parking
- 7.2 An Inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.8 Heritage assets and archaeology
- 7.14 Improving air quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 7.21 Trees and woodland
- 8.2 Planning obligations
- 8.3 CIL

6.3 LDF Core Planning Strategy (July 2011)

- CS7 Centres
- CS 8 Housing choice
- CS 9 Housing provision
- CS 11 Infrastructure
- CS 12 Economic development
- CS 13 Open space, leisure and nature conservation
- CS 14 Design
- CS 15 Climate change
- CS16 Flood Risk Management
- CS 17 Waste management
- CS 18 Transport
- CS 19 Public transport
- CS 20 Parking servicing and delivery

6.4 Sites and Policies Plan (SPP) (July 2014)

- DM R1 Location and scale of development in Merton's town centres and neighbourhood parades
- DM R2 Development of town centre type uses outside town centres
- DM H2 Housing mix
- DM H3 Support for affordable housing
- DM E1 Employment areas in Merton
- DM E3 Protection of scattered employment sites
- DM E4 Local employment opportunities
- DM F1 Support for flood risk management
- DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure

- DM O2 Nature conservation, Trees, hedges and landscape features
- DM D1 Urban Design
- DM D2 Design considerations
- DM D7 Shop front design and signage
- DM EP2 Reducing and mitigating noise
- DM EP3 Allowable solutions
- DM EP4 Pollutants
- DM T2 Transport impacts of development
- DM T3 Car parking and servicing standards
- DM T4 Transport infrastructure

6.5 Draft London Plan and Draft Merton Local Plan:
 Whilst not yet adopted and therefore not part of the Development Plan, officers are aware that the emerging London Plan (13th August Draft Plan that includes the Mayor's minor suggested changes) is likely to be adopted imminently and the draft Merton Local Plan (currently at Stage 2 Consultation Draft, with the Stage 2 consultation having closed by February 2019) is envisaged to be adopted by Winter 2021 and therefore have had regard to the emerging policies therein.

6.6 Other guidance and material considerations:
 National Design Guide – October 2019
 Draft London Plan (July 2019)
 Draft Merton Local Plan
 DCLG: Technical housing standards - nationally described space standard March 2015
 Merton's Design SPG 2004
 GLA Guidance on preparing energy assessments – 2018
 London Environment Strategy - 2018
 Mayor's Air Quality Strategy - 2010
 Mayor's SPG - Housing 2016
 Mayor's SPG – Sustainable Design and Construction 2014
 Mayor's SPG – Character and Context 2014
 Mayor's SPG – Affordable Housing and Viability 2017
 Mayor's SPG – Play and Informal Recreation 2012
 LB Merton – Air quality action plan - 2018-2023.
 LB Merton - Draft Sustainable Drainage (SUDS) Design and Evaluation Supplementary Planning Document (SPD) 2018
 LB Merton - Draft Borough character study 2016.
 LB Merton - Local Development Framework - Tall buildings Background Paper 2010.

7. **PLANNING CONSIDERATIONS**

7.1 **Key Issues for consideration**

7.1.1 The key issues in the assessment of this planning application are:

- Principle of development
- Need for additional housing, residential density and housing mix

- Affordable Housing
- Impact on visual amenity and design
- Impact upon neighbouring amenity
- Standard of accommodation
- Secured by Design
- Transport, highway network, parking and sustainable travel
- Air Quality
- Sustainability
- Flooding and sustainable urban drainage
- Site contamination
- Impact on biodiversity and SINC
- Archaeology
- Developer contributions

7.2 Introduction

7.2.0 Along with other land along this part of the A3 corridor in both Merton and Kingston there is a growing interest in land and buildings and opportunities the sites can present to deliver significant new housing. Development of the application site along with adjoining land provides an opportunity to address this objective and at the same time engage in place making and, cumulatively, the creation of what might be considered as a new neighborhood. The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. The National Design Guide states that the underlying purpose for design quality and the quality of new development at all scales is to create well-designed and well-built places that benefit people and communities. This includes people who use a place for various purposes.

7.2.1 This report therefore considers the interrelated issues of housing capacity, mix of uses and how this impacts on design, the public realm parking and sustainability deriving from the redevelopment of the site.

7.3 Principle of development

7.3.1 Principle of residential development:

7.3.2 Policy 3.3 of the London Plan 2016 states that development plan policies should seek to identify new sources of land for residential development including intensification of housing provision through development at higher densities. Core Strategy policies CS8 & CS9 seek to encourage proposals for well-designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space. The National Planning Policy Framework 2019 and London Plan policies 3.3 & 3.5 promote sustainable development that encourages the development of additional dwellings at locations with good public transport accessibility.

- 7.3.3 The application site forms part of allocated site RP3 'Burlington Road Tesco' within the emerging Merton Local Plan. The allocated site includes the New Malden Tesco Extra store, retail surface level parking and the vacant office and warehouse building at 265 Burlington Road. The proposed site allocation seeks to re-provide the existing supermarket (equivalent floor space) and redevelop the remainder of the site for new homes. The emerging site allocation does not specify an indicative residential density or maximum building heights and there is no supplementary planning document to guide development in the meantime.
- 7.3.4 Stage 2 consultation for the new Merton Local Plan was undertaken between October 2018 – January 2019, with an anticipated adoption date of Winter 2021. In the absence of adopted or emerging strategic policy designations for the application site, the draft local site allocation is not part of the current Development Plan but forms a material planning consideration, albeit with limited weight, in the assessment of the proposed development.
- 7.3.5 While submission of a more comprehensive set of development proposals may have been favoured it would be unreasonable to delay determination on this basis.
- 7.3.5 The site is an underutilised brownfield site which is considered to present opportunities for a more intensive mixed use development. The proposals would meet NPPF and London Plan objectives by contributing towards London Plan housing targets and the redevelopment of brownfield sites.
- 7.3.6 Principle of loss of office space:
- 7.3.7 Policy DM E3 of the SPP seeks to protect scattered employment sites. The policy states that where proposals would result in the loss of an employment site (B1/B2/B8 type uses), they would be resisted except where:
- i. The site is located predominantly in a residential area and it can be demonstrated it is having a significant adverse effect on residential amenity,
 - ii. The site characteristics make it unviable for whole site employment, and
 - iii. It has been demonstrated that there is no prospect of employment or community use on the site in the future."
- 7.3.8 Where the above criteria cannot be met, the loss can be mitigated by providing employment as part of a mixed use scheme.
- 7.3.9 In line with the emerging site allocation, the proposed development includes the demolition of the two-storey office building and warehouse to enable the residential-led

redevelopment of the allocated site. The site allocation does not require the retention or re-provision of the office or warehouse uses. The primary lawful use is office, with ancillary parking and ancillary retail parking.

- 7.3.10 In line with London Plan Policy 4.2, the redevelopment of vacant office floor space in this location to provide a more viable complementary use, which may include housing, is supported.
- 7.3.11 Policy E1 of the draft London Plan states that Development proposals should support the redevelopment, intensification and change of use of surplus office space to other uses including housing. However, it is noted that only moderate weight given that it is not yet adopted.
- 7.3.12 The scheme re-provides office space and provides employment as part of the mixed use scheme, albeit of a lesser scale than existing. While a broader mix of non-residential uses may have animated more effectively the public accessible space around the development and contributed to the sense of developing a place, officers consider that greater weight may be attributed to the provision of housing in this case in place of employment floorspace.
- 7.3.13 Principle of loss of car parking spaces
- 7.3.14 The proposal involves the loss of 100 parking spaces associated with the vacant office building and 98 retail parking spaces. The Tesco store will retain 577 car parking spaces out of the existing 675 spaces, which would be in excess of London Plan standards and therefore, not objectionable in principle.
- 7.3.16 Comprehensive redevelopment of the wider Tesco site
- 7.3.17 The applicant has developed an indicative masterplan demonstrating how the proposed buildings would sit alongside the redeveloped Tesco store, were it to come forward in the future for redevelopment.
- 7.3.18 The proposal to utilise the Pyl Brook frontage to create a natural landscaped area and new pedestrian route through the site is welcomed. This matter would be addressed through the master plan, which would be required to provide public access along a new route adjacent to Pyl Brook.
- 7.3.19 The Masterplan is indicative only at this stage but it does show how the Pyl Brook frontage would be made into a public space and would create an active edge to the western boundary.
- 7.3.20 Active frontages along this elevation should be maximised to promote natural surveillance. This use of commercial/retail uses should be explored to mark the entrances to this route. Whilst this area is currently proposed to be gated for private use only, in line with draft London Plan Policy D7, the public realm and

routes through the site should remain open to allow a pedestrian links to the west.

7.3.21 The absence of a more comprehensive set of proposals for the site should not form the basis to resist or delay consideration of the proposals. Members are required to determine the application on its merits

7.3.22 Conclusions on principle of development

7.3.23 Given the above, it is considered the proposal has merit insofar as it would deliver a mix of uses appropriate to the location and, subject to compliance with the relevant London Plan policies, Merton Local Development Framework Core Strategy, Merton Sites and Policies Plan and supplementary planning documents, could be supported.

7.4 Need for additional housing, residential density and housing mix

7.4.1 The emerging London Plan, now accorded moderate weight in recent appeal decisions issued by the Secretary of State, and anticipated to be adopted in the coming months, will signal the need for a step change in the delivery of housing in Merton. While AMR date shows the Council has exceeded its current 411 target, the target of 918 units per year will prove considerably more challenging. The relaxation of the earlier target (1300+ units) for Merton following the Inspector's finding following the London Plan Examination in Public Panel Report Appendix: Panel Recommendations October 2019 was predicated on not adopting a particular GLA formula to delivering significant new housing on small sites, with larger opportunity sites such as the application site rising in importance.

7.4.2 The National Planning Policy Framework requires Councils to identify a supply of specific 'deliverable' sites sufficient to provide five years worth of housing with an additional buffer of 5% to provide choice and competition.

7.4.3 Table 3.1 of the London Plan identifies that LBM has an annual housing target of 411 units, or 4,107 over the next ten years. However, this minimum target is set to increase significantly to 918 set out in the 'London Plan Examination in Public Panel Report Appendix: Panel Recommendations October 2019', and which is expected to be adopted later this year. This significant increase will require a step change in housing delivery within the LBM.

7.4.4 Policy H1 'Increasing housing supply' (Draft London Plan Policy) and Table 4.1 of the draft London Plan sets Merton a ten-year housing completion target of 13,280 units between 2019/20 and 2028/29 (increased from the existing 10-year target of 4,107 in the current London Plan). However, following the Examination in Public this figure of 13,280 has been reduced to 9,180.

- 7.4.5 Merton's overall housing target between 2011 and 2026 is 5,801 dwellings (Authority's Monitoring Report Draft 2017/19, p12). The latest (draft) Monitoring report confirms:
- All the main housing targets have been met for 2017/18.
 - 665 additional new homes were built during the monitoring period, 254 above Merton's target of 411 new homes per year (London Plan 2015).
 - 2013-18 provision: 2,686 net units (813 homes above target)
 - For all the home completions between 2004 and 2017, Merton always met the London Plan target apart from 2009/10. In total Merton has exceeded the target by over 2,000 homes since 2004.
- 7.4.6 Policy H1 of the emerging London Plan sets out that boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions, especially the following sources of capacity:
- b) mixed-use redevelopment of car parks and low-density retail parks.
- 7.4.7 The proposal to introduce residential use to this under-utilised site responds positively to London Plan, draft London Plan policies and Core Strategy planning policies to increase housing supply and optimise sites and is strongly supported.
- 7.4.8 **Residential density**
- 7.4.9 Table 3.2 of the London Plan identifies appropriate density ranges based on a site's setting and PTAL rating.
- 7.4.10 The area has a public transport accessibility level (PTAL) of 3, where 1 is poor and 6 is excellent. It is considered that the site is located within an urban area for the purposes of Table 3.2 of the London Plan, given the nature of surrounding built form and the criteria set out in the supporting text to Table 3.2 (density matrix) of the London Plan.
- 7.4.11 The proposed development would have a density of 199 dwellings per hectare and 570 habitable rooms per hectare.
- 7.4.12 The proposed density is above the relevant density range (70-170 dwellings per hectare and 200-450 habitable rooms per hectare), as set out in Table 3.2 for the setting (Central) and PTAL 3.
- 7.4.13 In terms of the emerging London Plan, Policy D6 (Draft London plan Policy) sets out that:

"Development proposals must make the most efficient use of land and be developed at the optimum density. The optimum

density of a development should result from a design-led approach to determine the capacity of the site. Particular consideration should be given to:

1. the site context
2. its connectivity and accessibility by walking and cycling, and existing and planned public transport (including PTAL)
3. the capacity of surrounding infrastructure”

7.4.14 The emerging London Plan does not include a density matrix as it does not necessarily provide a consistent means of comparing proposals. Density has been measured and monitored in London over recent years in units per hectare (u/ha). Average density across London of new housing approvals in the monitoring year 2015/16 was 154 u/ha with the highest average density being recorded in Tower Hamlets at 488 u/ha. However, comparing density between schemes using a single measure can be misleading as it is heavily dependent on the area included in the planning application site boundary as well as the size of residential units. Planning application boundaries are determined by the applicant. These boundaries may be drawn very close to the proposed buildings, missing out adjacent areas of open space, which results in a density which belies the real character of a scheme. Alternatively, the application boundary may include a large site area so that a tall building appears to be a relatively low-density scheme while its physical form is more akin to schemes with a much higher density.

7.4.15 Therefore, whilst density is a material consideration, it is not the overriding factor as to whether a development is acceptable; London Plan paragraph 3.28 states that it is not appropriate to apply the density ranges mechanically. The potential for additional residential development is better considered in the context of its bulk, scale, design, sustainability, the impact upon neighbouring amenity, living standards for prospective occupants and the desirability of protecting and enhancing the character of the area and the relationship with surrounding development.

7.4.16 It is noted that the GLA consider that the scheme appropriately optimises its density.

7.4.17 Whilst the density is above the suggested range in the London Plan Table 3.2, density guidelines should not be applied mechanically and a more suitable approach to assessing whether the scheme is appropriate in this location and following the direction of travel of emerging London plan policies, which no longer rely on the density matrix, requires further and more detailed consideration of context, connectivity and local infrastructure. Members should consider whether the benefits of the scheme would justify the quantum of development proposed.

7.4.18

Housing mix

7.4.19

London Plan Policy 3.8 ‘Housing Choice’, draft London Plan Policy H12 and associated planning guidance promotes housing choice and seeks a balance of unit sizes in new developments. London Plan Policy 3.11 states that priority should be given to the provision of affordable family housing.

7.4.20

Policy DM H2 of the SPP aims to create socially mixed communities, catering for all sectors of the community by providing a choice of housing with respect to dwelling size and type in the borough. The policy sets out the following indicative borough level housing mix:

Number of bedrooms	Percentage of units
One	33%
Two	32%
Three +	35%

7.4.21

The emerging London Plan advises that boroughs should not set prescriptive dwelling size mix requirement but that the housing mix should be informed by the local housing need.

“H12 (Draft London plan Policy):

- A. To determine the appropriate mix of unit sizes in relation to the number of bedrooms for a scheme, applicants and decision-makers should have regard to:
 1. the range of housing need and demand identified by the London Strategic Housing Market Assessment and, where relevant, local assessments
 2. the requirement to deliver mixed and inclusive neighbourhoods
 3. the need to deliver a range of unit types at different price points across London
 4. the mix of uses in the scheme
 5. the range of tenures in the scheme
 6. the nature and location of the site, with a higher proportion of one and two bed units generally more appropriate in more central or urban locations
 7. the aim to optimise housing potential on sites
 8. the ability of new development to reduce pressure on conversion and sub-division of existing stock
 9. the role of one and two bed units in freeing up family housing
 10. the potential for custom-build and community-led housing schemes.
- B. Generally, schemes consisting mainly of one-person units and/or one-bedroom units should be resisted.
- C. Boroughs should not set prescriptive dwelling size mix requirements (in terms of number of bedrooms) for market and intermediate homes”

- 7.4.22 Policy H12 Housing size mix sets out all the issues that applicants and boroughs should take into account when considering the mix of homes on a site. Boroughs should not set policies or guidance that require set proportions of different-sized (in terms of number of bedrooms) market or intermediate units to be delivered. The supporting text to Policy H12 of the emerging London Plan sets out that such policies are inflexible, often not implemented effectively and generally do not reflect the optimum mix for a site taking account of all the factors set out in part A of Policy H12. Moreover, they do not necessarily meet the identified need for which they are being required; for example, larger units are often required by boroughs in order to meet the needs of families but many such units are instead occupied by sharers.
- 7.4.23 The application does not accord with the indicative, borough wide mix set out in SPP Policy DM H2, in particular, in regards to the provision of three bed units.
- 7.4.24 The application does not accord with the indicative, borough wide mix set out in SPP Policy DM H2, in particular, in regards to the provision of three bed units.
- 7.4.25 The proposals would appear to set up a tension between adopted local plan policy and emerging strategic plan policy. In response the applicant has set out that there are a number of reasons why the proposed housing mix does not reflect the indicative borough level proportions shown above. The applicant asserts that advice from the LBM's Housing officer has identified an urgent need for larger units for affordable rent to help reduce the significant waiting list for this type of accommodation. The proposals therefore look to prioritise two and three bed units for affordable rent.
- 7.4.26 In respect of the mix of market units, the applicant has prioritised the provision of two bedroom units. There are a limited number of three bed private units but the applicant points out that the predominant housing type in the surrounding area are privately owned family homes and a lack of good quality smaller homes.
- 7.4.27 Thus, the proposals seek to address affordable housing needs while being more flexible in terms of the ebb and flow of market demands. Given the likely and imminent adoption of the draft London Plan officers consider that a slavish reliance on the preferred borough wide housing mix may not be warranted and that it may be unreasonable to refuse or delay determination on this basis.

7.5 Affordable Housing

- 7.5.1 The Council's policy on affordable housing is set out in the Core Planning Strategy, Policy CS8. For schemes providing over ten units, the affordable housing target is 40% (of which 60% should be social rented and 40% intermediate), which should be provided on-site.

7.5.2 In seeking this affordable housing provision LMB will have regard to site characteristics such as site size, site suitability and economics of provision such as financial viability issues and other planning contributions.

7.5.3 The Mayor's SPG on affordable housing and viability (Homes for Londoners) 2017 sets out that:

"Applications that meet or exceed 35 per cent affordable housing provision, by habitable room, without public subsidy, provide affordable housing on-site, meet the specified tenure mix, and meet other planning requirements and obligations to the satisfaction of the LPA and the Mayor where relevant, are not required to submit viability information. Such schemes will be subject to an early viability review, but this is only triggered if an agreed level of progress is not made within two years of planning permission being granted (or a timeframe agreed by the LPA and set out within the S106 agreement)...

... Schemes which do not meet the 35 per cent affordable housing threshold, or require public subsidy to do so, will be required to submit detailed viability information (in the form set out in Part three) which will be scrutinised by the Local Planning Authority (LPA)."

7.5.4 These requirements are reflected in the New London Plan – Consultation Draft (13th August 2018), which states that:

"to follow the Fast Track Route of the threshold approach, applications must meet all the following criteria:
1.meet or exceed the relevant threshold level of affordable housing on site without public subsidy,
2.be consistent with the relevant tenure split (Policy H7 Affordable housing tenure),
3.meet other relevant policy requirements and obligations to the satisfaction of the borough and the Mayor where relevant,
4.demonstrate that they have taken account of the strategic 50 per cent target in Policy H5 Delivering affordable housing and have sought grant where required to increase the level of affordable housing beyond 35 per cent."

7.5.5 Provided that the scheme meets the 35% provision, meets the tenure split set out in policy CS8 and demonstrates that the developer has engaged with Registered Providers (RPs) and the LPA to explore the use of grant funding to increase the proportion of affordable housing, then the proposal could be dealt with under the Mayor's Fast Track Route, which would not require the submission of additional viability information.

- 7.5.6 In accordance with the Mayor's SPG, the scheme proposes 40% affordable housing on a habitable room basis (The Fast Track requirement requires 35%). This would breakdown to 60% affordable rent and 40% shared ownership with 94 affordable rent units and 77 shared ownership units.
- 7.5.7 In line with the Fast Track criteria, the applicant must demonstrate that the use of grant funding has been explored to maximise the delivery of the affordable housing. The applicant seeks to address this matter by offering up a pre-implementation s106 obligation to demonstrate that the use of grant funding has been explored.
- 7.5.8 The GLA has now confirmed that the affordable housing offering meets the Mayor's Fast Track criteria.
- 7.5.9 The London Plan sets out that housing developments should be designed to maximise tenure integration, and affordable housing units should have the same external appearance as private housing. All entrances will need to be well integrated with the rest of the development and should be indistinguishable from each other.
- 7.5.10 In terms of the appearance of the affordable units, these would not have an external appearance noticeably different to the other units. The majority of the affordable housing provision is within Core A with some more in Core B. These elements would not be obviously distinguishable from the market units.
- 7.5.11 The proposal is considered to be acceptable in terms of the affordable housing offering and would meet the emerging London Plan guidance in this regard.

7.6 Impact on visual amenity and design

- 7.6.1 The National Planning Policy Framework sets out that achieving high quality places and buildings is fundamental to the planning and development process. It also leads to improvements in the quality of existing environments. It states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
The regional planning policy advice in relation to design is found in the London Plan (2016), in Policy 7.4 - Local Character and 7.6 - Architecture. These policies state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design.
- 7.6.2 Policy DM D2 of the SPP seeks to ensure a high quality of design in all development, which relates positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and

landscape features of the surrounding area. Policy. Core Planning Policy CS14 supports this SPP Policy.

7.6.3 Massing and heights

7.6.4 Consideration of matters of massing and height may reasonably be informed by the application of both London Plan and local planning policies and supplemented by the Council's Tall Building Background paper which helped shape core strategy design policy and its justification.

7.6.6 The London Plan defines tall and large buildings as those buildings that are 'substantially taller than their surroundings, cause a significant change on the skyline or are larger than the threshold sizes set for the referral of planning applications to the Mayor'.

7.6.7 Considering the London Plan definition, any building that has a significant impact on the existing scale and character of an area through height can be considered a tall building. In the context of Merton, where most of the borough is characterised by 2 storey suburban houses, any building of 4 storeys or higher could be considered a tall building in these locations.

7.6.8 High rise tower blocks located in denser areas of the borough are most common for residential, commercial or mixed use functions, where they can be an efficient use of land, and will be significantly taller than their surroundings and have a significant impact on the skyline. These tall buildings do not necessarily have a large building footprint and if designed well at the ground level can contribute positively to the streetscene.

7.6.9 Tall buildings can make a positive contribution to city life, be excellent works of architecture in their own right, can affect the image and identity of a city as a whole, and can serve as beacons for regeneration and stimulate further investment.

7.6.10 The London Plan requires that 'tall buildings should always be of the highest architectural quality, (especially prominent features such as roof tops) and should not have a negative impact on the amenity of surrounding uses'.

7.6.11 In policy terms, higher density development is directed towards centres and those areas that are well serviced in terms of public transport and infrastructure, and those areas that can accommodate the increase in density without having a detrimental impact on the character of the locality, including the historic environment

7.6.12 The LBM Tall Buildings paper indicates that "overall it is considered that suburban neighbourhoods in the borough are unsuitable locations for tall buildings, based on the distinct low scale and cohesive character of these areas, and their locations

which are generally outside of centres in areas with low accessibility”.

7.6.13 The site is not considered to be within a suburban area with a distinct low scale and cohesive character, as the site is within an area that is fragmented in terms of built form and character.

7.6.14 Paragraph 22.20 of the Core Planning strategy states:

“Merton's Tall Buildings Background Paper (2010) advises that tall buildings are generally not appropriate within the borough due to its predominately suburban low rise character, and will be resisted in all areas of the borough where they will be detrimental to this valued character. Tall buildings may be suitable in areas of the borough where all of the following factors are present:

- Regeneration or change is envisaged
- Good public transport accessibility
- Existing higher building precedent”

7.6.15 In response to these criteria, officers conclude that:

- The site is within an area where change is envisaged, particularly given the higher housing targets of the draft London Plan.
- Public transport in the vicinity of the site is moderate but would be improved by the proposed development, given the contributions to local bus routes.
- Whilst the area is generally one of low to medium rise, with building heights around 5 storeys (maximum), the B&Q advertising totem is higher than the tallest building currently proposed.

7.6.16 The Core Planning Strategy goes on to states in paragraph 22.22 that “Designated industrial locations including those at Shannon Corner and Morden Road Industrial Area are sensitive areas of the borough where taller buildings may be appropriate where contributing to the regeneration and enhancement of employment uses, and where they will not have a detrimental impact on areas outside of the designated industrial area.”

7.6.17 Therefore the Development Plan identifies Shannon Corner as an area where taller buildings could be accommodated within the borough. Notwithstanding the concerns raised by those responding to the public consultation exercise, officers consider that this area has the potential to accommodate taller buildings, subject to other planning considerations.

7.6.18 The location of the site would allow for long distance views of the development from surrounding vantage points and would be visually prominent. However, the delivery of the site for additional housing would provide a significant contribution towards meeting the housing needs of the borough and Members will wish to consider whether the design is of a sufficiently high quality to

justify the proposed massing and height in reaching their conclusions on the proposal.

7.6.19 Officers acknowledge that the site neither has good public transport accessibility nor existing high buildings precedents. However, the draft plan essentially identifies it as an area for change while the LDF caveats the resistance to tall buildings citing “where they will be detrimental to this valued character”.

7.6.20 At the time of drafting the Core Strategy the focus on the Shannon Corner Area was on industrial regeneration and indicated a degree of support for taller buildings that would contribute to regeneration. Taller buildings were thus not ruled out in the area.

7.6.21 While supplementary planning guidance can assist in guiding place making and help inform and enable more precise judgements on matters of massing, such as was the case with the redevelopment of the Rainbow Industrial estate, High Path, Ravensbury and Eastfields estates, planning officers have weighed up both the policies on design and tall buildings and set this against the known and likely housing targets. On balance officers conclude that a tall buildings approach to development in this instance could be supported.

7.6.22 Layout

7.6.23 The broad layout principles of positioning the blocks around the periphery of the site, with central landscaped podiums is supported as this approach addresses the edges of the site, maximises housing delivery and provides a generous external amenity space which is elevated above the surrounding commercial uses

7.6.24 The proposed layout is such that there would be some active frontages at ground floor level, particularly along Burlington Road, whereby a new streetscape would be created. It is noted that within the site, there would be some areas of inactive frontage, with bin stores and cycle stores fronting the street. However, these are interspersed with commercial units which would provide some animation and variety within the newly created street.

7.6.25 A resident’s concierge is located within the southern elevation of the block along the access road, providing active frontage, good surveillance and management of the adjacent servicing bays.

7.6.26 Officers consider that the proposed layout is well thought out and based on sound urban design principles. It is considered the approach could enhance the character and vitality of the area.

7.6.27 Design and appearance

- 7.6.28 Paragraph 130 of the NPPF advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.
- 7.6.29 The applicant's Townscape Visual Appraisal (TCA) identifies the site is part of the Shannon Corner Townscape Character Area. Section 3.46 describes the characteristics of this area as being dominated by large retail warehouses and medium to small scale retail, industrial and employment uses. It also accommodates significant transport infrastructure including the A3 Kingston Bypass (a main route into central London).
- 7.6.30 Burlington Road and the railway line separate the site and Shannon Corner TCA from the neighbouring West Barnes Suburban TCA the east, which has a very different, low rise, suburban character. The locality may be considered as a one of contrasts.
- 7.6.31 The proposal would have no effects on any designated heritage assets or any protected views. Officers acknowledge that there would be an impact on views from streets in the surrounding area and from further afield due to the scale of the proposed development. However, whether this harms the visual amenities of the area is a matter where judgement may be exercised and requires assessment in terms of the overall visual impacts of the scheme and, in turn, the overall merits of the scheme. In the event that the delivery of housing is accorded primary importance and that at street level there is the potential for enhancement, it may be concluded that the imposing skyline and departure from the surrounding built form created by the proposals would not in itself warrant refusal.
- 7.6.32 Good quality facing materials, balcony treatments and window reveals can be secured, in the event that permission is granted, to ensure good design detailing is carried through post planning to completion.
- 7.6.33 Frontage with Burlington Road
- 7.6.34 The most visually prominent part of the site is arguably the interface with Burlington Road and the existing built form therein. Currently, the site is ground level car parking and a two-storey building. Therefore, a new street frontage would be created. The set back from the highway would allow for a relatively wide walkway, utilising both the existing public pavement and private land within the site.

- 7.6.35 The space provided for landscaping here presents an opportunity to improve this part of the street and how it functions.
- 7.6.36 A series of tree groups, of varying species suited to the space available, will provide a green edge to Burlington Road and help frame and scale the architectural mass of the building to the street. Visibility is to be maintained under the canopies of the proposed trees to retain good sight lines to residential cores and commercial ground floor units. Paving is to be to adoptable standards and link to the material used within the site. The pedestrian crossing will be clearly marked with material changes to highlight movement across the access road.
- 7.6.37 The height of proposed buildings along Burlington Road (six-nine storeys) would provide a staggered transition to the taller buildings behind and it is considered that the streetscene of Burlington Road would be significantly improved.
- 7.6.38 Interface with Pyl Brook
- 7.6.39 The proximity of Pyl brook provides both an opportunity and constraint to the proposed development. Pyl Brook is currently inaccessible to the public and whilst it has an important biodiversity role, any visual benefit is not fully realised at present due to its inaccessibility.
- 7.6.40 The proposed development would provide access to the southern side of the Brook, to an area that is described as 'Brookside Garden', which in the future, following the formulation of a master plan for the delivery of the wider site, would be publically accessible.
- 7.6.41 The route would include a degree of active frontages with entrances at ground floor, which would allow for future connectivity along Pyl Brook beyond the Site boundary to the west.
- 7.6.42 This part of the site would include viewing platforms to the Pyl Brook with seating elements and railings along the site boundary.
- 7.6.43 Brookside Garden would include a 'living edge', comprising patterned climbing plants on a trellis against the wall, with wildlife elements (birds and bat boxes, insects' hotels and loggery). A nature inspired play trail runs along the footpath within the planting.
- 7.6.44 A gated access route will allow residents of the appropriate cores access to the Brookside Garden.
- 7.6.45 The interface with Pyl Brook is a key consideration in this assessment. It is considered that the scheme responds appropriately and would result in a usable space which could be enhanced by being publically accessible in the future in the event

of more comprehensive proposals coming forward for adjoining land.

7.6.46 Publicly accessible spaces within the site

7.6.47 The edge to Burlington Road acts as a gateway space with an intention that rain gardens and a feature tree mark the transition into the site. Seating opportunities are provided further within the site. Opportunities for representing the history of the print work can be integrated into landscape elements such as tree grilles, seating, pavement or public art.

7.6.48 The access from Burlington Road would be marked with a substantial 'Gateway marker tree', which would provide some legibility for users at ground level. Within the site there would be Avenue tree planting to create rhythm and distract from the scale of the elevations.

7.6.49 The architectural detailing at ground floor level is considered to be of a quality that would create result in legible and improved public space within the site.

7.6.50 Facing materials and architectural detailing

7.6.51 A variety of surface materials have been selected to define the various functions of the landscape spaces, reinforce space hierarchy and define areas of shared use.

7.6.52 The use of contrasting facing brickwork, with red brick, dark grey brick and cream brick is considered to be a suitable covering for the proposed buildings, which would not appear out of keeping with the wider area.

7.6.53 The scheme also introduces colour to the elevations. The colours vary across the building groups; Buildings A&B - Deep Green, Buildings C&D - Grey Blue, Buildings E&F - Olive Green, and Building G - French Grey. Using coloured glazed bricks similar to the selected colour scheme and inserting them as feature panels at the stepped junctions in the building to assist with the vertical articulation. This same colour is also repeated on the balcony soffits, and ground floor residential entrances to provide individual identity to each buildings and to aid in wayfinding.

7.6.54 Within the brickwork of the façades are contrasting grey/blue brick panels, linking the windows into groups at high level, and vertically linking pairs at mid-level to reinforce the horizontal articulation and hierarchy.

7.6.55 The detailed design of balconies varies across the buildings, with either a metal or glazed balcony with detailing to match the colour scheme of the building.

- 7.6.56 The pitched roofline would create a varied roofscape from more distant views. The combination of the contrasting brickwork colour and parapet variation provide a layered skyline with greater depth and hierarchy, especially when viewed from the east of the development, which assists in breaking up the visual bulk and massing of the proposed development.
- 7.6.57 The applicant has sought to address the ground and first floor articulation to create a plinth level which introduces a hierarchy to the ground level including adding more detail at ground level with a corduroy brick, feature panels to screen cycle and bin stores, and adding colour on balconies, soffits and residential entrances.
- 7.6.58 The facing materials and detailing are considered to be acceptable subject to a condition securing the details.
- 7.6.52 Lighting
- 7.6.53 In terms of lighting, routes have been identified along key pathways, where properties and facilities are located, to create a greater sense of security and personal safety within the development.
- 7.6.54 Lighting is integrated within street furniture (e.g. wayfinding lighting within paving and lighting of feature elements such as uplighting to trees etc.) providing an attractive dimension to the scheme.
- 7.6.55 The lighting is considered to be suitable in visual terms and can be controlled by way of condition.
- 7.6.56 Trees
- 7.6.57 An Arboricultural Impact Assessment, Arboricultural Method Statement and Arboricultural Survey accompanies the application. The assessment identifies that 121 category B trees, 17 trees and four groups of category C trees and four category U trees will need to be removed.
- 7.6.58 The scheme would involve significant tree planting (61 trees) proposed within and around the edge of the site. This will result in a significant enhancement to the current situation and offset the loss of existing trees.
- 7.6.59 New tree species have been selected on the basis of:
- > Suitability for the scale of the space and its location;
 - > Contribution to the native tree quality on the site;
 - > Providing food sources for local fauna; and
 - > Providing season interest and autumn colour.
- 7.6.60 Overall, whilst a number of trees would be lost, subject to suitable replanting and landscaping, the overall appearance of the proposed development is considered to be suitably softened.

- 7.6.61 Signage
- 7.6.62 While any signs/advertisements would be subject to separate approval by way of advertisement consent, a shop signage strategy should still be incorporated into a proposal at design stage, as signage plays a major role in the appearance of any building and if retrofitted later, may compromise the design.
- 7.6.63 An indicative signage strategy has been provided which proposes a modestly sized fascia above the commercial entrances; it is considered that the indicative signage strategy is acceptable, subject to advertisement consent.
- 7.6.64 Visual impact conclusion
- 7.6.65 The scheme would introduce a significant uplift in the level of built form across the site, which would be significantly taller than the surrounding suburban context. However, given the degree of flexibility afforded by adopted policy on tall buildings and the anticipated uplift in housing targets, it is considered, on balance, that the design, massing and appearance of the proposal would deliver a significant quantity of new housing and improve the ground level streetscape and connectivity, without causing harm to the visual amenities of the area.
- 7.7 Impact upon neighbouring amenity**
- 7.7.1 London Plan policies 7.14 and 7.15 along with SPP policy DM D2 state that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of light spill/pollution, loss of light, quality of living conditions, privacy, visual intrusion and noise.
- 7.7.2 The site has a limited relationship with sensitive neighbouring uses. It is of note that prior approval has been granted for the conversion of Dalbani House, Neba House and Eagle House, 257 Burlington Road for the conversion to residential. These properties sit at the northern point of the wedge of industrial buildings to the south of the site. The impact on neighbouring amenity is discussed below.
- 7.7.3 Visual intrusion and loss of light
- 7.7.4 Given the building would be a maximum of 15 storeys in height and would be replacing two-storey structures, visual intrusion and loss of light are of particular concern.
- 7.7.5 The application is accompanied by a Daylight and Sunlight Assessment, including an addendum addressing the impact on the adjacent Raynes Park High School.
- 7.7.6 The results of the daylight (Visible Sky Component - VSC, No Sky Line Contour - NSC and Average Daylight Factor - ADF)

assessment to the surrounding properties have shown the effects to the vast majority of windows and rooms neighbouring the site are unnoticeable and are fully compliant with reference to the targets set within the BRE guidance.

- 7.7.7 Daylight has been a key consideration influencing the design process and the scheme performs well in regards to the internal daylight assessment. The results show excellent levels of overall compliance with 98% of rooms achieving or exceeding the BRE targets. The small number of rooms that fall below the targets are all served by windows located beneath a balcony, which reduces daylight in any event.
- 7.7.8 There would be some minor overshadowing of the Raynes Park High School. However, the information submitted by the applicant indicates that the impact on light levels to the school would be acceptable, given that there are no set standards for light levels to schools.
- 7.7.9 The impact on neighbouring residential properties would not result in material harm as the shadow cast would primarily be to the north of the site. The separation distances to neighbouring residential properties is sufficient to avoid a materially harmful impact.
- 7.7.10 In conclusion, the impacts of the proposed development on surrounding residential properties would accord with BRE guidelines and are considered unlikely to harm neighbour amenity and accord with the NPPF and Mayor's Housing SPG.
- 7.7.11 Privacy
- 7.7.12 It is considered the proposal would not unduly impact upon the privacy of neighbouring properties.
- 7.7.13 The separation distances to neighbouring dwellings are such that there would be no direct overlooking to any residential properties at a distance that would result in a material loss of privacy.
- 7.7.14 The separation distance from the proposed buildings to Raynes Park High School, at its closest point, would be 33.7m. The Pyl brook stands between the site and the school to the north and the combination of the separation distance, in combination with the extensive tree screening to the northern side of Pyl Brook is such that there would be not be a material overlooking to the school.
- 7.7.15 Noise
- 7.7.16 It is considered that the impact of noise from the commercial use and any plant can be suitably addressed by way of conditions. Given the remainder of the scheme is residential, the noise generated is expected to be comparable to the surrounding

development and would not give rise to an adverse impact on amenity.

7.7.17 Light spill

7.7.18 Light spill from the proposal is not expected to be significant given the scheme is predominately residential and given the separation distances to neighbouring occupiers.

7.7.19 Construction phase

7.7.20 The development has the potential to adversely impact neighbouring residents during the construction phase in terms of noise, dust and other pollutants. As such, it is recommended to include conditions which would require a detailed method statement in relation to construction processes and a Construction Logistics Plan to be provided prior to the commencement of the development.

7.8 Standard of accommodation

7.8.1 Policies 3.5 and 3.8 of the London Plan 2016 state that housing developments are to be suitably accessible and should be of the highest quality internally and externally and should ensure that new development reflects the minimum internal space standards (specified as Gross Internal Areas) as set out in table 3.3 of the London Plan. Policy DM D2 of the Adopted Sites and Policies Plan (2014) states that developments should provide for suitable levels of privacy, sunlight and daylight and quality of living conditions for future occupants.

7.8.2 Space standards

7.8.3 The proposal accords with the internal floor space standards set out in the Nationally Described Space Standards, the London Plan and the Mayor's Housing SPG

7.8.4 All the units benefit from their own external amenity space in accordance with or exceed the minimum standards set out in Standard 26 of the London Plan's Housing SPG.

7.8.5 Dual aspect rating

7.8.6 The scheme generally presents good levels of residential quality, with most units benefiting from dual or triple aspects (65%) and no cores serving more than 8 units. The quality of outlook and privacy to lower level units, especially those which adjoin areas of public realm, and the upper level units which adjoin the balcony access decks, is an important consideration. Sufficient screening and a clear delineation between ground floor public realm and private amenity space must be provided, which can be secured through landscaping conditions.

- 7.8.7 All but one unit per floor, within the proposed development are dual aspect.
- 7.8.8 On the typical lower floors there are 54 units per floor, which have the following breakdown:
- Through units (i.e. window at either end) – 6 per floor, 11%;
 - Corner units (windows to two sides) – 29 per floor, 54%;
 - Units with enhanced window return (windows to two sides) – 18 per floor, 33%; and
 - Single aspect, east facing unit – 1 per floor, 2%.
- 7.8.9 There are no north facing single aspect units within the scheme
- 7.8.10 Accessibility for all
- 7.8.11 The Design and Access Statement confirms that the development will comply with Part M of the Building Regulations with 10% of the dwellings designed to be easily adapted to meet the needs of a wheelchair user. This accommodation is distributed across the scheme for a range of tenures and unit sizes.
- 7.8.12 External amenity space and play space
- 7.8.13 London Plan Policy 3.6 and draft London Plan Policy S4 require development proposals to make provisions for play and informal recreation based on the expected child population generated by the scheme. The Play and Recreation SPG expects a minimum of 10 sq.m. per child to be provided in new developments. The development will have a child yield of 198, resulting in a requirement for 1,980 sq.m. of on-site play.
- 7.8.14 The scheme would provide 2,758qm of communal space provided at podium level of each Blocks A and B. A further 408sqm of amenity space is provided along Pyl Brook.
- 7.8.15 The external amenity space would include Social space with communal table, barbecue and pergola, play areas and 'grow your own' planting beds.
- 7.8.16 In respect of play space, the applicant calculated the child yield for the development, using LBM's up to date guidance which requires the use of the GLA's Intelligence Unit's 2014 Population Calculator and Single Year Age (SYA) tool. This shows that the development will have a child yield of 198. Of this, 91 are expected to be under-fives, 65.1 are to be between five to eleven and 41.7 are to be 12-18 years old.
- 7.8.17 It confirms that 1,980sqm of play space is required for 0-18 year olds.
- 7.8.18 In relation to younger age groups, this will be provided on site with 910sqm for 0-5 year olds and 651sqm for 5-11 year olds.

This results in an onsite play space provision of 1,561sqm. Details of the proposed space, including quantum and types of play elements for each age group, can be secured by way of condition.

7.8.19 In terms of play provision for 12-18 year olds, officers consider that this may reasonably be addressed by way of a commuted sum contribution for to play area enhancement in the locality rather than a dedicated on site facility. This approach will also better benefit the locality as it would be available for use by all. The specific amount to be sought by way of a commuted sum is £24,600 as this would provide a Multi Use Games Area of 400sqm for the 41.7 12-18 year olds, expected to be yielded by the proposed development..

7.8.20 It is regrettable that the play space provided on site would not be available for children living outside the site. However, the security concerns of the applicant, in terms of non-residents gaining access to the podium level are noted.

7.8.21 Noise and Vibrations

7.8.22 A Noise and Vibration Assessment Report accompanies the application and sets out:

“It has been identified that the eastern and western sides of the site result in levels that require mitigation to be incorporated into the design to comply with the relevant British Standard. This mitigation includes appropriate glazing specification as well as a co-ordinated overheating and ventilation strategy to ensure a comfortable living environment for residents. We are satisfied that, with the measures identified in this report, a good standard of accommodation can be provided in accordance with the British Standard.”

7.8.23 In respect of vibration, the conclusion of the report is that vibration levels have been found to be sufficiently low and therefore within acceptable tolerances.

7.8.24 The impact of noise and vibration on future occupants is considered to be suitably mitigated and acceptable in planning terms.

7.8.25 The scheme is considered to offer a high standard of living for prospective occupants.

7.9 Secured by design considerations

7.9.1 The applicant has set out that the design process has been informed throughout by the need to create a safe environment for all existing neighbouring residents, and future users of the development. The submission explains that the proposed development has included Secure by Design principles and the

applicant intends that the scheme will obtain a SBD accreditation for both the commercial and residential elements of the development.

- 7.9.2 The submission sets out that the physical security standards of the proposal have been considered, from the shared communal access in to the apartment buildings, through to the construction and layout of each apartment. These include:
- CCTV across the Site.
 - Security access gates to ground floor residential car parking.
 - Security access gates to Pyl Brook and residential entrance to Building A.
 - Security access gates to substation and associated service area.
 - Supermarket car park will be well lit with CCTV coverage.
 - Security lobbies at ground floor residential entrances.
 - Audio/visual entry systems in each residential building.
 - Fob/Coded access to refuse stores.
 - Cycle storage areas are enclosed with fob access and built into the fabric of the building, and will incorporate a self-closing mechanism.
 - Compartmentalisation: residents can only access their floors using key fob access.
 - Certified compliant internal/external doors.
 - Certified compliant window specification.
 - Certified compliant party wall construction.
 - Remotely read residential metering.
- 7.9.3 The Designing Out Crime Officer has commented on the detail of the scheme and has raised concern regarding the access approach to Buildings A and F. However, the access to Building A would be private at this stage and as such does not result in concerns regarding public safety.
- 7.9.4 Building A is to be accessed from Pyl Brook via Burlington Road. Buildings B, D, E, F and G are accessed from the internal access road. Buildings E and F share a residential entrance lobby at ground floor, the residents of Building F then gain access across the landscaped podium. Building C is accessed from Burlington Road.
- 7.9.5 Each of the buildings also have a secondary access to the entrance lobbies directly from the undercroft car park.
- 7.9.6 All residential apartments are accessed via a secure, communal entrance hall leading to a lift lobby. These entrances would be illuminated and feature level thresholds, with a maximum upstand of 15mm. Entry systems such as video or audio entry systems, pass card systems, or similar will be designed and located to be used by visitors and residents.
- 7.9.7 The approach to Building F has been amended since pre-application stage and no longer includes a protracted walk along a narrow route but instead would involve either walking around

the building to the entrance door, through the landscaped podium or arriving via the car park beneath. Whilst the entrance to this block is not located directly off the access road, officers consider that the proposed means of access do not raise significant concerns in terms of security.

- 7.9.8 The Designing out Crime Officer has also commented that the fence to Brookside Garden appears too low. In terms of Secured by Design, a tall means of enclosure would be preferable to ensure that access is secure. However, this runs counter to usual urban design principles which focus on connectivity and legibility and would not encourage a high form of enclosure. The fence is just over 2m high and this is considered to reflect a human scale within the development, which would not act as such an inactive edge as a higher form of enclosure would be.

7.10 Transport, highway network, parking and sustainable travel

- 7.10.1 London Plan policies 6.3 and 6.12, CS policies CS20 and CS18 and SPP policy DM T2 seek to reduce congestion of road networks, reduce conflict between walking and cycling, and other modes of transport, to increase safety and to not adversely effect on street parking or traffic management; in addition, there is a requirement to submit a Transport Assessment and associated Travel Plan for major developments.

- 7.10.2 London Plan policies 6.9, 6.10 6.13, CS policy CS20 and SPP policies DM T1 and DM T3 seek to promote sustainable modes of transport including walking, cycling, electric charging points, the use of Travel Plans and by providing no more vehicle parking spaces than necessary for any development.

- 7.10.3 Crossrail 2:

- 7.10.4 TfL and the GLA have commented on the application to set out that whilst the site falls outside the limits of Crossrail 2 Safeguarding, as set out in the 2015 Crossrail 2 Safeguarding Directions, part of the application site has been identified as a proposed worksite for the future delivery of the Crossrail 2 scheme and required for the works associated with the West Barnes Lane level crossing.

- 7.10.5 Crossrail 2 are therefore of the view that the proposed redevelopment of this site and the creation of new residential and commercial floorspace would, in the event that powers to deliver Crossrail 2 are approved, be prejudicial to the future delivery of the railway.

- 7.10.6 Whilst the comments of TfL, the GLA and Crossrail 2 have been carefully considered, it is noted that the site is not within any formally safeguarded area and therefore any weight that can be attributed is very limited.

- 7.10.7 It is of note that any plans to safeguard this area of land in the future are not yet in the public domain and have not gone through a public consultation process and has no formal status. There is an established procedure for safeguarding land for major transport projects and this site is not currently within the safeguarded area.
- 7.10.8 This matter has recently been tested at appeal (2 Merton Hall Road, APP/T5720/W/17/3180585), whereby the Inspector took a similar view to that expressed above.
- 7.10.9 Therefore, at this stage, only limited weight can be attributed to the need to retain the site as a worksite for Crossrail 2.
- 7.10.10 Trip Generation:
- 7.10.11 The trip generation analysis presented indicates that the proposed residential dwellings will be expected to generate 79 (AM) and 65 (PM) vehicle trips, with the proposed commercial uses generating a further four vehicle trips, per peak hour.
- 7.10.12 The existing office use could be expected to generate in the order of 27 and 30 vehicular trips in the AM and PM peak hours respectively, should the permitted use of the site be brought back into operation.
- 7.10.13 The net trip generation of the proposals would therefore be 56 (AM) and 39 (PM) vehicles respectively, which equates to less than one additional vehicular trip being generated per minute in either peak hour.
- 7.10.14 The trip generation assessment for the existing and proposed uses has been undertaken using the industry standard TRICS database. Census data has been used to determine the mode share.
- 7.10.15 The Council's Transport Planner is satisfied that the trip generation is robust.
- 7.10.16 The anticipated distribution of traffic associated with the site is expected to give rise to a change in performance of the Claremont Avenue junction with Burlington Road and therefore a commuted sum is sought from the developer to provide the necessary junction improvements. (This is captured in the s.106 heads of terms).
- 7.10.17 The developer to provide financial contribution towards a pedestrian crossing facility and junction improvements at this junction secured through Sec.106 Agreement.
- 7.10.18 Car and cycle parking provisions
- 7.10.19 As set out earlier in this report, the reduction in parking spaces to serve the Tesco extra store is considered to be suitable, as it

would still retain a level of parking above the London plan standards.

- 7.10.20 In terms of car parking for the proposed development, it is proposed to provide 220 car parking spaces for the proposed 456 residential dwellings which equates to a car parking ratio of roughly 0.5 spaces per unit which would accord with the London Plan and draft London Plan standards.
- 7.10.21 14 parking bays for disabled motorists should be provided at the out-set of the development and this matter can be controlled by way of condition. A Car Parking Management Plan can also be secured by way of condition.
- 7.10.22 577 car parking spaces would be retained for the Tesco extra store, which is in excess of the maximum parking standards in the London Plan and as such, it is considered that the reduction in parking spaces to serve Tesco Extra would be acceptable in planning terms.
- 7.10.23 It is noted that the Council's Transport Planner has advised that the introduction of a new Controlled Parking Zone (CPZ) is not warranted in neighbouring residential roads due to the availability of parking in the surrounding area.
- 7.10.24 Cycle parking should be installed on site in accordance with London Plan standards on cycle parking for new residential developments.
- 7.10.25 The London Plan and London Housing SPG Standard 20 (Policy 6.9) states all developments should provide dedicated storage space for cycles at the following level:
- 1 per studio and one bed dwellings;
 - 2 per all other dwellings and
- 1 short term visitor space per 40 residential units.
- The development comprises:
- 114 x 1 bed: 114
290 x 2 bed: 580
52 x 3 bed: 104
- Total: 798 cycle spaces.
- 7.10.26 The development proposes 798 long stay cycle parking spaces and 12 short stay cycle spaces which satisfies the London Plan Standards.
- 7.10.27 A proportion of short-stay visitor cycle parking is shown in the long stay cycle stores. This raises issues of security and would not be convenient for users.
- 7.10.28 Further consideration is required concerning the layout of the long-stay cycle parking, however, this matter can be satisfactorily addressed by way of condition.

- 7.10.29 Six long stay cycle parking facilities will be provided within the commercial units, for employees, plus 14 further short stay spaces for customers/visitors.
- 7.10.30 It is recommended that shower and locker facilities are also provided for the office uses for those members of staff wishing to cycle to work.
- It is noted that TfL has suggested that there should be 871 cycle parking spaces, in line with the draft London Plan. However, that the draft plan, whilst an important material planning consideration, is not part of the Development Plan. The proposal meets the requirements of the current London Plan and as such it would be unreasonable to raise a reason for refusal on this basis.
- 7.10.31 Subject to conditions relating to the layout of long term cycle parking, the provision of cycle parking is considered to be acceptable.
- 7.10.32 Delivery, servicing and the highway network
- 7.10.33 The proposed development will retain the existing site access junction with Burlington Road. The position and footprint of this junction will not be significantly altered as a result of the development although new surfacing and treatments will be delivered, which will be carried through the development site and along the internal access road.
- 7.10.34 The internal access road will also continue to facilitate vehicular egress from Tesco through the site, onto Burlington Road. The access road has been designed to accommodate large vehicles associated with the servicing of the development, such as refuse, delivery and emergency vehicles. Large vehicles associated with Tesco will however, continue to access / egress the store via the main junction with Beverley Way only.
- 7.10.35 The refuse storage areas are located at ground level and are sited near lift/stair cores for ease of access for residents.
- 7.10.36 Redrow Asset Management (RAM) will manage and move bins from refuse areas to holding refuse areas located in Blocks A and B. All four refuse stores located in the northern podium (Buildings A-D) would be moved into the main refuse holding area where they can be collected from the adjacent service bay. All three refuse stores located in the southern podium (Buildings E-G) would be moved into the Building G refuse store, which also doubles as the refuse holding area, where they can be collected from the adjacent service bay.
- 7.10.37 Refuse and recycling collection would be carried out by a private company as opposed to the London Borough of Merton and it

will be the responsibility of the management company to carry out the above functions.

7.10.38 The refuse/recycling collection and storage arrangements are considered to be acceptable in planning terms.

7.10.39 Sustainable Travel

7.10.40 It is expected that at least 50% of the underground/rail mode share would use the bus to access Raynes Park rail station, which provides access to a greater number of services. In terms of the bus contribution, the Bus Service Planning section within TfL has confirmed that bus route 131 is already near capacity in the vicinity of the site. Therefore, based on the predicted uplift in bus trips and current bus capacity, TfL are seeking a bus contribution of £450,000 (£90,000 per annum for 5 years). The £90,000 p.a. would cover the cost of an extra journey in each peak period.

7.10.41 The applicant is required to pay to upgrade three bus stops so that they are fully compliant as accessible bus stops, which will be secured through a s.278 agreement, if permission is granted.

7.10.42 TfL has now confirmed that the highway modelling information submitted is acceptable and does not indicate a need for mitigation measures on the TfL highway network.

7.10.43 In addition to the provision of private parking, the residents would rely on cycling, public transport and car clubs. The development has a PTAL of 3 which is considered to be moderate; however, in reality there are no barriers to transport given there are multiple modes of public transport (bus and rail) which are within walking distance (maximum 15 minutes) and operate frequently. The development offers policy compliant cycle storage along with free car club memberships for future occupants. As such, it is considered the development would promote the use of more sustainable modes of transport.

7.10.44 In addition to the above, it is recommended to include an obligation which will require details of travel plans to be provided, one for the commercial component and another for the residential component. The travel plans will provide education on sustainable travel for employees, residents and visitors.

7.10.45 *Healthy Streets*

7.10.46 The Healthy Streets Approach puts people, and their health, at the heart of decision making. This results in a healthier, more inclusive city where people choose to walk, cycle and use public transport.

7.10.47 The Healthy Streets Approach is not an idealised vision for a model street. It is a long-term plan for improving Londoners' and

visitors' experiences of our streets, helping everyone to be more active and enjoy the health benefits of being on our streets.

- 7.10.48 The 10 Healthy Streets Indicators are:
- **Pedestrians from all walks of life**
 - **People choose to walk, cycle and use public transport**
 - **Clean air**
 - **People feel safe**
 - **Not too noisy**
 - **Easy to cross**
 - **Places to stop and rest**
 - **Shade and shelter**
 - **People feel relaxed**
 - **Things to see and do**
- 7.10.49 The application includes a public realm strategy, which puts forward the following:
- Planting of street trees along west side of Burlington Road;
 - Introduction of public seating opportunities;
 - Provision of publicly accessible cycle parking;
 - Introduction of a pedestrian crossing on the northern side of Burlington Road/ Claremont Avenue junction, facilitated through the provision of drop kerbs, tactile paving, warning signs and a coloured surface treatment which will emphasise the desire line to/ from Motspur Park station;
 - Signage to help wayfinding to/ from Motspur Park station; and
 - Improvements to 'the lane' which comprises an existing Public Right of Way (PRoW) along the southern boundary of the proposed development site. The improvements will include measures to discourage vehicle parking at the junction of the PRoW with Burlington Road, planting, seating and visual amenity which in part will be enhanced by the surveillance of the lane which will be achieved through the delivery of new homes
- 7.10.50 Having regard to the measures put forward and the financial contribution towards improving the walking environment around the site (£150,000), it is considered that the proposal would meet the objectives of the Health Streets Indicators.
- 7.10.51 Refuse storage/collection arrangements
- 7.10.52 Appropriate refuse storage must be provided for developments in accordance with policy 5.17 of the London Plan and policy CS 17 of the Core Planning Strategy.
- 7.10.53 The location of the refuse storage is considered to be appropriate for deposition by users and for collection. The storage provisions proposed are in line with Merton Council requirements.

7.11 Air Quality

7.11.1 An Air Quality Assessment is submitted in support of the proposal which considers air quality impacts associated with traffic generated by the operational phase of the development. The site also lies in an Air Quality Management Area and therefore an assessment of the potential for future residents to be exposed to poor air quality has also been undertaken. The findings of the assessment are as follows:

“The results show that the proposed development would cause negligible impacts on concentrations of NO₂, PM₁₀ and PM_{2.5} at all sensitive receptors in accordance with the relevant assessment significance criteria.”

7.11.2 Concentrations of all pollutants were below the relevant UK Air Quality Strategy objectives on the Application Site, and therefore future residents will not be exposed to poor air quality. Based on the assessment results, it is considered that the development proposals comply with national, regional and local policy for air quality.

7.11.3 The Council’s Air Quality officer has advised that a financial contribution (£31K) to address air quality impact issues during the sensitive period of development should be sought.

7.12 Sustainability

7.12.1 London Plan policy 5.3 and CS policy CS15 seek to ensure the highest standards of sustainability are achieved for developments which includes minimising carbon dioxide emissions, maximising recycling, sourcing materials with a low carbon footprint, ensuring urban greening and minimising the usage of resources such as water.

7.12.2 The key sustainability features outlined in this Sustainability Statement are listed below:

> **Energy efficiency:** The development will target a 35.7% reduction in Regulated CO₂ emissions through energy efficiency measures and renewable technologies;

> **Water efficiency:** Flow control devices and water efficient fixtures and fittings will be installed in all dwellings to target a maximum internal daily water consumption of 105 litres/person/day;

> **Waste and recycling:** Adequate facilities will be provided for domestic and construction related waste, including segregated bins for refuse and recycling;

> **Materials:** Where practical, new building materials will be sourced locally to reduce transportation pollution and support the local economy. New materials will be selected based on their environmental impact and responsible suppliers will be used where possible;

- > **Flood Risk and SUDs:** To ensure the flood risk is not increased, underground cellular storage or blue/green roof storage is proposed to reduce runoff rates to 3x greenfield rates;
- > **Security:** Consultation with a Security Specialist will take place to ensure the development is safe and secure for its residents;
- > **Sound insulation:** The dwellings are to target an improvement on Building Regulations Part E through party walls and floors;
- > **Inclusive access:** 90% of the new dwellings will be designed to meet Building Regulations Approved Document M4(2) and 10% will meet Part M4(3);
- > **Sustainable transport:** The site will benefit from a good existing public transport network and sustainable modes will be encouraged through the provision of 830 cycle storage spaces;
- > **Biodiversity and ecology:** Enhancements will be implemented through the provision of podium planting, landscaped areas, play space and additional tree and shrub planting across the site;
- > **Sustainable construction:** The site will aim to achieve a 'Beyond Best Practice' score with the Considerate Constructors Scheme and will closely monitor construction site impacts.

7.12.3 An on-site reduction of 203 tonnes of carbon dioxide per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected for the domestic buildings. This is equivalent to an overall saving of 35%, which does not meet the zero-carbon target. The non-residential element would achieve a 41% reduction, which exceeds the emissions target set in London Plan Policy 5.2. The remaining regulated CO2 emissions must be met through a contribution to the borough's offset fund.

7.12.4 The Council's Climate Change Officer has reviewed the proposals and concludes that a carbon offset contribution of £651,060 is necessary. Payments to offset carbon shortfalls are used by Merton Council to fund projects which seek to reduce carbon generation in the borough; projects to date have focussed on schools and have included insulating building envelopes and pipes, boiler controls, lighting motion sensors and solar panels.

7.12.5 It is disappointing that the scheme does not meet the carbon savings target on-site. However, the scheme would be policy compliant subject to a carbon offset contribution and therefore officers do not raise objection in this regard.

7.12.6 It is recommended to include conditions, which would require evidence to be submitted which confirms the development has achieved the carbon savings outlined in the Sustainable Design and Construction Statement along with water consumption rates not exceeding 105 litres per person per day.

7.12.7 Subject to a S106 payment of £651,060 along with the above conditions, it is considered the proposal would be policy compliant in terms of sustainability.

7.13 Flooding and sustainable urban drainage

7.13.1 London Plan policies 5.12 and 5.13, CS policy CS16 and SPP policies DM F1 and DM F2 seek to minimise the impact of flooding on residents and the environment and promote the use of sustainable drainage systems to reduce the overall amount of rainfall being discharged into the drainage system and reduce the borough's susceptibility to surface water flooding.

7.13.2 The submitted FRA sets out that:

- All sleeping and residential units are to be located above the 1 in 100 + 35% event;
- Safe access/ egress to be provided from the site during a 1 in 100 +35% event;
- Flood compensation can be provided to support the proposed development; and
- Betterment can be provided by the formalisation of a flood warning and evacuation plan.

7.13.3 The site is within Flood Zones 2 and 3 and the proposed development has been designed accordingly. The GLA had raised concerns regarding a ground floor bedroom, as this may be susceptible to flooding. However, the applicant has clarified that the majority of the proposed residential accommodation would be located at first floor level (podium level) or above. Two-bedroom duplex units are proposed at ground floor, however the location of these units is outside the 1 in 100 +35% Climate Change flood extent; additionally the minimum finished floor level of these units is to be set no lower than 14.65mAOD (300mm higher than the 1 in 100 +35% flood level).

7.13.4 It is noted that the Environment Agency are satisfied that the flood modelling information is robust and that the finished floor levels set out by the applicant are suitable.

7.13.5 Therefore, it is concluded that the proposal would be acceptable in terms of flood risk.

7.13.6 A Surface Water Drainage Strategy also accompanies the application. The conclusions of this are: "In order to ensure that flood risk is not increased as part of the development proposals, it is proposed to reduce runoff rates (in line with the London Borough of Merton Sustainable Drainage Design and Evaluation Guide (2018) guidance) to 3 x greenfield (demonstrated to provide a significant improvement over existing). This outflow is currently shown to be routed to the Pyl Brook in accordance with LB Merton requirements."

7.13.7 In terms of surface water run-off, the London Plan advises that developments should seek to achieve greenfield run-off rates. It

is noted that the vast majority of the site is laid to hardstanding currently. The proposed development would improve run-off rates significantly but would not achieve green field rate run-off levels. The Council's Flood Risk Engineer has reviewed the proposed arrangements and raises no objection subject to conditions.

7.13.8 The proposed measures are considered acceptable. It is recommended to include a condition to require details of drainage, attenuation and management to be submitted prior to the commencement of development.

7.14 Site contamination

7.14.1 London Plan Policy 5.21 and SPP policy DM EP4 state that developments should seek to minimise pollutants, reduce concentrations to levels that have minimal adverse effects on human or environment health and to ensure contamination is not spread.

7.14.2 In light of the former commercial uses on site, there is a potential for the site to suffer from ground contamination. Planning conditions are recommended that seek further site investigation work and if contamination is found as a result of this investigation, the submission of details of measures to deal with this contamination.

7.15 Impact on biodiversity and SINC

7.15.1 NPPF section 11, London Plan policies 7.5 and 7.21, CS policy CS13 and SPP policies DM D2 and DM O2 seek to ensure high quality landscaping to enhance the public realm, protect trees that significantly improve the public realm, to enhance biodiversity, encourage proposals to result in a net gain in biodiversity and to discourage proposal that result in harm to the environment, particularly on sites of recognised nature conservation.

7.15.2 Building on the conclusions of the Preliminary Ecological Survey, details of the ecology and biodiversity enhancements for the site are set out within section 7 of the Landscape Design and Access Statement. Key features include:

- Swift nesting boxes;
- Bat roosting boxes;
- Black Redstart nesting boxes;
- Stag beetle loggery;
- Invertebrate hotel;
- Nectar-rich planting; and
- Mosaic habitat.

7.15.3 The design of the scheme provides an opportunity to install green roofs thereby enhancing the biodiversity of a site alongside a green corridor/SINC, in accordance with adopted policy objectives. It is noted that green roofs have been included.

Notwithstanding the proposed urban drainage strategy, it is recommended to require details of a landscaping and planting strategy to be submitted and implemented prior to occupation.

7.15.4 The proposal is considered to result in a significant net gain in terms of biodiversity interests.

7.16 Archaeology

7.16.1 The site is within an Archaeological Priority Zone, as identified on the LBM's Proposals Map. A Cultural Heritage Desk Based Assessment has therefore been undertaken and submitted as part of the application. The conclusion of this assessment is as follows:

“In view of the extent of past development impacts, and the anticipated limited archaeological potential, it can be considered that the redevelopment proposals would be unlikely to have a significant impact on any below ground archaeological remains.”

7.16.2 Comments from Historic England GLAAS are awaited, although it is not anticipated that any objection would be raised.

7.17 Developer contributions and legal undertakings

7.17.1 The proposed development would be subject to payment of the Merton Community Infrastructure Levy and the Mayor of London's Community Infrastructure Levy (CIL).

7.17.2 Regulation 122(2) of the CIL Regulations 2010 (continued in the CIL Regulations 2011) introduced three tests for planning obligations into law, stating that obligations must be:

- necessary to make the development acceptable in planning terms;
- directly related to the development;
- fairly and reasonably related in scale and kind to the development.

7.17.3 If a planning obligation does not meet all of these tests it cannot legally be taken into account in granting planning permission and for the Local Planning Authority to take account of S106 in granting planning permission it needs to be convinced that, without the obligation, permission should be refused.

7.17.4 In this instance the delivery of 40% on-site affordable housing, £150K to improve pedestrian and cycle infrastructure in the surrounding area, £100K towards pedestrian crossing facility and junction improvement at Burlington Road/Claremont Avenue junction, Travel Plan with £2K monitoring contribution, provide three years car club membership, £450K contribution towards an additional bus journey in each peak period, carbon shortfall contribution of £651,060, play space contribution of £24,600,

£31K for Air Quality Impact mitigation, improvements to 3 bus stops (Stop B (9154), Stop C (9155) and Bus Stop E (27392)). and costs to Council of all work in drafting S106/S278 agreements and monitoring the obligations.

- 7.17.5 Regulation 123 of the Community Infrastructure Regulations 2010 (as amended) restricts the use of planning obligations for infrastructure that will be funded in whole or in part by Merton's Community Infrastructure Levy.

8. CONCLUSION

- 8.1 Merton's housing target is set to more than double in early 2020 from 411 homes per year to a total of 9180 over the next 10 years (918 per year). Brownfield sites and car parks can help to accommodate the step change in housing delivery and this is acknowledged in the Inspector's report into the draft London plan. The Council is supportive of the site going forward as suitable for redevelopment to re-provide retail floorspace and housing as part of the site allocations in the draft local plan. Against this backdrop it is considered that the principle of development can reasonably be supported.
- 8.2 The delivery of this site for housing would provide a significant contribution towards Merton's housing need, including the provision of affordable housing. There is a tension between the scale and height of the proposed buildings and the existing more low level suburban built form and the proposed buildings would be prominent in both short and long views into the site to the extent that the proposed development would become a new landmark in the borough.
- 8.3 The site has no physical, access or heritage constraints that would preclude a suitably engineered and conditioned scheme from being delivered. The site is not over looked or constrained by neighbours not being next to sensitive residential properties which it may cause harm to, in terms of loss of light and outlook, therefore providing opportunity for taller denser development, which would contribute significantly towards meeting housing needs in the borough.
- 8.4 The scale of the proposed development would be a contrast to the existing built form. The proposals would however have the potential to improve the street environment. Officers consider the proposals would make a positive contribution to the Burlington Road frontage with the potential to enhance the public realm.
- 8.5 The proposals have been designed to ensure they would not unduly impact upon neighbouring amenity. The proposal would offer living standards for prospective occupants that would satisfy national and local internal and external space standards. The proposal would not unduly impact upon the highway network and it would promote and facilitate sustainable transport. The

proposal would achieve suitable refuse provisions. It is considered that the proposal would achieve appropriate levels of sustainability.

- 8.6 The proposals would deliver sustainable development in accordance with National Planning objectives and, given the considerable weight to be attached to the delivery of housing, the application may reasonably be supported subject to any direction from the Mayor of London, appropriate legal agreements and conditions.

Recommendation:

Grant planning permission subject to s106 agreement and s278 agreement.

S106 legal agreement:

- The provision of 40% affordable housing by habitable room, comprised of 77 shared ownership units (40%) and 94 affordable rent units (60%),
- £150K to improve pedestrian and cycle infrastructure in the surrounding area,
- £100K towards pedestrian crossing facility and junction improvement at Burlington Road/Claremont Avenue junction,
- Travel Plan with £2K monitoring contribution,
- The developer agreement to provide a 3 year membership to a car club for each residential unit of the development at the cost of the developer;
- £450K contribution towards an additional bus journey in each peak period,
- carbon offset contribution of £651,060,
- £24,600 contribution towards off-site children's play facilities
- £22K for Air Quality Service Impact,
- £9K contribution to the Council's Air Quality Action Plan
- The developer agreeing to meet the Council's costs of preparing (including legal fees) the Section 106 Obligations.

S278 agreement:

- The upgrading of bus stops Stop B (9154) – Cavendish Road, Stop C (9155) – Burlington Road / Shannon and Bus Stop E (27392) – West Barnes Level.

- 9.2 And the following conditions:

Conditions:

1. A1 Commencement of development (full application)
2. Approved Plans

3. Non-standard condition. The development is to be carried out in accordance with the following approved documents: (see list of documents at paragraph)
4. B1 External Materials to be Approved
5. B4 Details of surface treatment
6. B5 Details of Walls/Fences
7. C07 Refuse & Recycling (Implementation)
8. D05 Soundproofing of Plant and Machinery
9. D09 No External Lighting
10. D11 Construction Times
11. F02 Landscaping (Implementation)
12. F05 Tree Protection
13. F13 Landscape Management Plan
14. H04 Provision of Vehicle Parking
15. H06 Cycle Parking, including shower and locker facilities for staff - Details to be Submitted
16. H08 Travel Plan
17. H11 Parking Management Strategy
18. H12 Delivery and Servicing Plan to be Submitted
19. H13 Construction Logistics Plan to be Submitted (major development)
20. L3 Sustainability Standard Pre-Occupation
21. A Non Standard Condition - Prior to the commencement of development, a Dust Management Plan (DMP), based on an AQDRA (Air Quality and Dust Risk Assessment), shall be submitted to and approved, in writing, by the local planning authority. The DMP will need to detail the measures to reduce the impacts during demolition and construction to include continuous dust monitoring at the site boundary. The development shall be undertaken in accordance with the approved plan.
22. A Non Standard Condition - All Non-Road Mobile Machinery (NRMM) used during the course of the development that is within the scope of the GLA 'Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (SPG) dated July 2014, or any successor document, shall comply with the emissions requirements therein.
23. A Non Standard Condition – Prior to the occupation of the development hereby permitted, a report with details of the combustion plant in order to mitigate air pollution shall be submitted to and approved in writing by the council. The report shall including the following:
 - a) Gas fired boilers and Combined Heat and Power plant (CHP) installed shall meet or improve upon the emissions standards of <40 mgNO_x/kWh (at 0% O₂) and 95 mgNO_x/Nm³ (at 5% O₂).
 - b) Stack height – details to be submitted (Flues from energy plant must be at least 1m above the highest part of the building, and in many circumstances will need to be significantly higher.)
 - c) Emergency generator - details to be submitted
 - d) All plant must be serviced and maintained according to the manufacturer's specification.
 - e) Where any combustion plant does not meet the relevant emissions Standards as in part (a) above, it should not be operated without the fitting of suitable secondary NO_x abatement

- Equipment or technology as determined by a specialist to ensure comparable emissions.
24. A Non Standard Condition – Electric vehicle charging points (EVCP) shall be provided for 20% of the car parking spaces shown on drawing 1997-00-DR-1099 P04 and passive provision shall be made available for a further 20% of the spaces so that the spaces are capable of being readily converted to electric vehicle charging points. The location of the EVCP spaces and charging points, and a specification for passive provision shall be submitted to and approved in writing by the local planning authority before any of the residential units are first brought into use. The EVCP shall thereafter be constructed and marked out and the charging points installed prior to any of the residential units being brought into use and thereafter retained permanently to serve the vehicles of occupiers.
25. A Non Standard Condition - Prior to the first occupation of the development hereby permitted, details of shower and locker facilities for staff members shall be submitted to and approved in writing by the Local Planning Authority. The agreed facilities shall be available prior to the first occupation of the development hereby permitted and retained thereafter.
26. A Non Standard Condition - The development shall be carried out in accordance with the following recommendations set out at Section 4 of the submitted Preliminary Ecological Appraisal dated October 2018:
- A buffer strip of native thorny planting to be put in place along the northern boundary. This will help
 - mitigate impacts on the brook adjacent to site, and enhance the site for bats, birds, and mammals;
 - Site vegetation clearance to be undertaken in September to exclude the bird nesting season (March to August inclusive) and hedgehog hibernation period (October to March) or immediately after an ecologist has confirmed the absence of nesting birds/hedgehogs;
 - Bat sensitive lighting to be used along the northern boundary of the site to mitigate for impacts upon boundary habitats and trees that are potentially of use to local bat populations;
 - Precautionary construction techniques sensitive to hedgehog/otter/water vole to be employed;
 - Pollution prevention control to be put in place during the construction phase.
27. A Non Standard Condition – The development shall be carried out in accordance with the mitigation measures set out in the submitted Flood Risk Assessment dated May 2019, as follows:
- o Non-return valves on any new sewer connections to prevent back-flow;
 - o All residential accommodation to be located at first floor level (podium level) or above. It should be noted that two two-bedroom duplex units are proposed at ground floor, however the location of these units is outside the 1:100 + 35% Climate Change flood extent; additionally the minimum finished floor level of these units is to be set no

lower than 14.65mAOD, which is 300mm above the 1 in 100 + 35% flood level.

o Minimum Finished floor levels of the ground floor units to be set no lower than 14.65mAOD (300mm above the 1 in 100 + 35% flood level);

o Flood volume mitigation as per section 8 of this report to avoid displacement offsite (floodplain compensation in the 1in100yr+35% event).

o Implementation of SuDs to ensure no increase in surface water runoff.

o Site owners and residents to sign up to EA Flood Warning/Alert Service and have an onsite flood warning and evacuation plan.

28. H17 Drainage

29. A Non Standard Condition – Prior to the commencement of development, the detailed design and specification for the permeable paving and green roofs shall be submitted to and approved in writing by the Local Planning Authority. The design shall be carried out as approved, retained and maintained by the applicant in perpetuity thereafter.

30. A Non Standard Condition - The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) May 2019 / N.4003 / Ambiental Technical Solutions Ltd. and the following mitigation measures detailed within the FRA:

1. Provision of compensatory storage shall be provided with the provision of an additional 25 cubic metres through level-for-level, volume for volume compensation as per paragraph 8

2. Ground floor finished floor levels of the residential units are set no lower than 14.65m above Ordnance Datum (AOD) and the duplex units shall be located outside of the 1% AEP plus 35% climate change extent as detailed in paragraph 7.4.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

31. A Non Standard Condition – The development hereby permitted shall incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design. Details of these measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and shall be implemented in accordance with the approved details prior to occupation.

32. A Non Standard Condition - Prior to the first occupation of the development hereby approved a Secured by Design final certificate shall be submitted to and approved in writing by the Local Planning Authority.

33. A Non Standard Condition - No properties shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water

to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

34. A Non Standard Condition - No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.
35. A Non Standard Condition - No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
36. A Non Standard Condition - Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
 - 1) A site investigation scheme, based on the PRA, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - 2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.
37. A Non Standard Condition - If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy

detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

38. A Non Standard Condition - Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved.
39. A Non Standard Condition - No drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.
40. A Non Standard Condition - Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
41. A Non Standard Condition - Prior to the commencement of development, a scheme for the provision of external amenity space, including children's play space and equipment, shall be submitted to and approved in writing by the Local Planning Authority. The agreed external amenity space, play space and equipment shall be installed and made available for use prior to the first occupation of the residential development hereby permitted and shall be retained thereafter.
42. A Non Standard Condition - Notwithstanding the submitted information, detailed drawings at a scale of no less than 1:20 shall be submitted detailing window reveals. The development shall be carried out in accordance with the approved details.
43. A Non Standard Condition - The proposed development shall be carried out in accordance with the Proposed Ventilation and Overheating Strategy, as set out paragraphs 8.23-8.27 of the submitted Noise and Vibration Report dated May 2019.
44. A Non Standard Condition - Prior to the first occupation of the development hereby approved, a detailed scheme for acoustic glazing to the east and west elevations of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be

- carried out in accordance with the approved details and retained thereafter.
45. A Non Standard Condition: [Local employment strategy] Prior to the commencement of development [including demolition] a local employment strategy shall have been submitted to and approved in writing by the Local Planning Authority setting out the measures taken to ensure that the development provides employment opportunities for residents and businesses in Merton during the construction phase.
 46. Prior to the demolition of any building on site the applicant shall submit an amended parking layout plan demonstrating how parking for the Tesco Extra store will be configured. The development shall be carried out in accordance with the approved details.
 47. Prior to the commencement of development, details of a vehicular access for construction vehicles shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Informatives:

1. The Dust Management Plan required by condition:
 - May be integrated within a wider Construction Environmental Management Plan (CEMP);
 - Must mitigate negative impact on air quality and receptors in the vicinity;
 - Must detail the measures that will be taken to reduce the impacts on air quality during all construction phases (demolition, construction, Earthworks, Trackout);
 - Must include maintenance schedule of the dust mitigation measures;
 - Must undertake to carry out air quality monitoring before, during and after demolition and construction works (at least a month prior to commencement of any works on site). Parameters to be monitored, duration, locations and monitoring techniques must be approved in writing by the Local Planning Authority prior to commencement of development.
 - Shall be in accordance with "The Control of Dust and Emissions during Construction and Demolition", Mayor of London SPG 2014.
2. INF 04 Climate Change
3. INF 08 Construction of Accesses
4. INF 09 Works on the Public Highway
5. INF 10 Contaminated Land
6. INF 15 Discharge conditions prior to commencement of work
7. INF 20 Street naming and numbering
8. No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer,

- prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).
9. No waste material, including concrete, mortar, grout, plaster, fats, oils and chemicals shall be washed down on the highway or disposed of into the highway drainage system.
 10. The prior approval of the Environment Agency must be agreed in writing via Flood Risk Activity Permit for any works within 8m from the top of the bank from the Pyl Brook, which is a designated main river.
 11. The applicant is advised to read the Thames Water guide 'working near assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working or near Thames Water pipes or other structures.
 12. Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
 13. The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice: excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution; treated materials can be transferred between sites as part of a hub and cluster project; some naturally occurring clean material can be transferred directly between sites. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. The Environment Agency recommends that developers should refer to the Position statement on the Definition of Waste: Development Industry Code Practice and the Environmental regulations page on GOV.UK.
 14. Environment permit – advice to applicant
The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
 - * on or within 8 metres of a main river (16 metres if tidal)
 - * on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
 - * on or within 16 metres of a sea defence
 - * involving quarrying or excavation within 16 metres of any main river, flood defence (including remote defence) or culvert
 - * in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.For further guidance please visit:
<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit

will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

15. The applicant should be aware that the site may provide a useful habitat for swifts. Swifts are currently in decline in the UK and in order to encourage and improve the conservation of swifts the applicant is advised to consider the installation of a swift nesting box/bricks on the site.

[Click Here](#) for full plans and documents related to this application